



Delaware Department of  
**Human Resources**

DECEMBER 2022

STATE OF DELAWARE  
FY22 EXECUTIVE BRANCH EEO/AA REPORT  
AND FY23 ACTION PLAN



**PREPARED AND PRESENTED BY THE**  
DEPARTMENT OF HUMAN RESOURCES  
OFFICE OF DIVERSITY AND INCLUSION

**STATE OF DELAWARE**  
**FY22 EXECUTIVE BRANCH EEO/AA REPORT AND FY23 ACTION PLAN**  
**EXECUTIVE SUMMARY**

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# STATE OF DELAWARE

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#### Introduction

The State of Delaware is committed to promoting equal employment opportunities in a workplace that is diverse, inclusive, respectful, and free of discrimination. The state is dedicated to maintaining a high-quality and diverse workforce of talented people to operate our government agencies effectively and efficiently while delivering products and services to the citizens of Delaware. With sustained efforts, the Carney Administration remains committed to a state workforce that reflects the population of our state.

**Equal Employment Opportunity (EEO) Statement:** The State of Delaware is an Equal Opportunity Employer and values a diverse workforce. We strongly encourage and seek out a workforce representative of Delaware including race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity, or expression.

Governor John Carney's Executive Order #30 (EO30), *Delaware's Continuing Commitment to a Respectful Workplace* (see Appendix A) directs that each Executive Branch agency shall maintain and file annually an Equal Employment Opportunity/Affirmative Action (EEO/AA) Plan with the Delaware Department of Human Resources (DHR) which is submitted to the Governor's Office on or before the end of the calendar year. This report is a compilation of the FY22 Executive Branch EEO/AA Report and FY23 Action Plans submitted in compliance with Executive Order 30.

The FY22 Executive Branch EEO/AA Report and FY23 Action Plan reflect workforce data and workplace environment information for the period of July 1, 2021, through June 30, 2022, and contain measures of the Executive Branch agency's progress toward recruitment of a diverse workforce and fostering a workplace environment of inclusion and respect for all employees. The contents of the report also provide an analysis of the relevant labor market data and identify possible barriers to the engagement and participation of women and minorities across all levels of the state's workforce.

Due to the continuing challenges of the COVID-19 pandemic, compared to FY21, the FY22 Executive Branch employment levels declined with approximately 12,485 Executive Branch employees across all agencies versus 12,743 employees across all agencies in FY21 indicating a (-2%) change. Almost all Executive Branch Agencies saw a reduction in their workforce.

#### Executive Branch Agencies

As of June 30, 2022, there were approximately 12,485 Executive Branch Employees classified as merit, non-merit, or exempt. The largest agencies with over 1,000 employees are Health and Social Services, Correction, Transportation, Safety and Homeland Security, and Services for Children, Youth, and Their Families. Collectively, these agencies account for 75% of Executive Branch employees.

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For reporting purposes, each agency's workforce data covering the period July 1, 2021, through June 30, 2022, was generated via the State of Delaware's Payroll and Human Resource Statewide Technology (PHRST) system by the DHR Office of Diversity and Inclusion. The data is a representation of 16 Executive Branch agencies. It includes exempt, merit, and union employees from the following agencies: *Agriculture, Correction, Education, Finance, Health and Social Services, Housing Authority, Human Resources, Labor, Management and Budget, National Guard, Natural Resources and Environmental Control, Safety and Homeland Security\**, *State, Services for Children, Youth and Their Families, Technology Information, and Transportation*. The total counts do not include employees that voluntarily self-identified as having a disability, and Casual/Seasonal staff is not included in this report as only full-time equivalent positions are tracked in the State and Local Government Information Report (EEO-4/EEOC Form 164), Equal Employment Opportunity Commission report. This state report does not delineate gender identifiers other than male/female. The information in this report presents a global summary of overall Executive Branch workforce demographic data, followed by each Executive Branch agency's workforce data and future action plan summary.

*\*The Delaware State Police (DSP) is a division of the Department of Safety and Homeland Security. However, for the purposes of this report, Delaware State Police is represented separately from Safety and Homeland Security.*

Assignment to respective EEO-4 Job categories is based upon regulations set forth by the Federal EEO-4 Guidelines (see Appendix B). To simplify and standardize the method of reporting, all jobs are considered as belonging to one of the following broad job categories:

1. Officials & Administrators
2. Professionals
3. Technicians
4. Protective Services
5. Office & Clerical
6. Paraprofessionals
7. Skilled Craft
8. Service Maintenance

Executive Branch agency job categories are based on position descriptions and assigned in the PHRST system. When an agency does not have jobs in a particular EEO-4 job category, there will be a notation of N/A.

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#### **Leadership Commitment**

Executive Branch Cabinet Secretaries have each affirmed their commitment to the Respectful Workplace and Anti-Discrimination Policy; a copy of their individually signed commitment is included with their agency report.

Each agency's initial individual report provides a brief overview of the agency's mission, vision, mission-related functions, organizational chart, and succinct narrative of the status of its accomplishments or challenges as described in their FY21-22 action plan with emphasis on progress across three key areas: (1) Management and Supervisory Accountability, (2) Workplace Environment/Climate, and (3) Recruitment and Retention. These three areas were derived from common themes emerging across narratives, aspirations, and aims, from an overview of FY21-22 Executive Branch agency EEO data reports and action statements.

Additionally, each agency's report represents workforce data tables and purposeful planning across the restructured strategic priorities as illustrated in the Equal Employment Opportunity/Affirmative Action Annual Report/Plan Requirements for Executive Branch Agencies dated August 30, 2022. The three strategic priorities are:

- Strategic Priority 1: Workplace Environment, Climate, and Culture
- Strategic Priority 2: Management and Supervisory Effectiveness
- Strategic Priority 3: Professional Development, Education, and Awareness

The emphasis on the three key strategic priorities in FY22-23 is to construct an efficient process to assess and evaluate each agency's progress toward achieving actionable and measurable objectives within each agency's short and mid-term operating schedule. Each agency will have the opportunity to self-assess its activities, identify, and address challenges, and work toward eliminating barriers during the fiscal year.

#### **Next Steps:**

The FY22 data reports and FY23 plans serve as strategic, action-oriented management tools for the Cabinet. The Department of Human Resources and the Office of Diversity and Inclusion leadership look forward to ongoing discussions about the FY22 Executive Branch EEO/AA Report and implementation of the FY23 Action Plans with the Governor and individual Cabinet Secretaries.

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**REGIONAL LABOR MARKET PERCENTAGES VERSUS  
DELAWARE LABOR MARKET PERCENTAGES**

The FY22 Executive Branch EEO/AA Report compares the workforce demographics to that of the Delaware Labor Market (DOL) data provided by the U.S. Census Bureau 2020 Report and contains measures of Executive Branch agencies' progress toward recruitment and retention of a diverse workforce and fostering a workplace environment of inclusion and respect for all employees.

This report includes Regional Labor Market percentages assigned to the eight EEO-4 categories. The eight EEO-4 categories include officials and administrators, professionals, technicians, protective services, paraprofessionals, office and clerical, skilled craft, and service maintenance.

The Regional Labor Market percentages represent the availability of Delaware's minority population, females, and males respectively in the labor force of Delaware and the surrounding region. These figures, updated every 10 years following the US Census, serve as a metric when comparing the representation within our state workforce.

The regional EEO-4 representation data source is from the U.S. Census Bureau's American Community Survey 2014-2018, and 5-year EEO Estimates, prepared by Thomas Dougherty, Chief, Office of Occupational and Labor Market Information, Delaware Department of Labor. These Regional Labor Market statistics will be used to benchmark future Delaware EEO-4 category reporting beginning in FY21 and ending when new Delaware regional EEO-4 representation data becomes available every 10 years following the U.S. Census. Once the new census data is available, an updated 5-year EEO Estimate will be created which in term serves as a new benchmark to reflect changes in the region's population demographics. The following information reflects a brief overview of overall Executive Branch Agency EEO-4 workforce demographics drawn from PHRST as of June 30, 2022.

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**Table 1**

EEO-4 CATEGORY	Minority % of Delaware Labor Market			Change
	Minority Regional Labor Market %	FY21 Delaware Minority Labor Market	FY22 Delaware Minority Labor Market	FY21 vs. FY22 Delaware Minority Labor Market
1 Officials & Administrators	25%	29%	28%	-1%
2 Professionals	29%	38%	30%	0%
3 Technicians	38%	23%	21%	-2%
4 Protective Services	37%	39%	39%	0%
5 Paraprofessional	34%	59%	59%	0%
6 Office & Clerical	31%	41%	41%	0%
7 Skilled Craft	26%	15%	15%	0%
8 Service Maintenance	45%	51%	52%	1%

**Table 2**

EEO-4 CATEGORY	Female % of Delaware Labor Market			Change
	Female Regional Labor Market %	FY21 Delaware Female Labor Market %	FY22 Delaware Female Labor Market %	FY21 vs. FY22 Delaware Female Labor Market %
1 Officials & Administrators	45%	45%	62%	17%
2 Professionals	59%	59%	66%	8%
3 Technicians	50%	50%	31%	-19%
4 Protective Services	19%	19%	19%	0%
5 Paraprofessional	77%	77%	71%	-5%
6 Office & Clerical	65%	65%	88%	23%
7 Skilled Craft	6%	6%	3%	-3%
8 Service Maintenance	44%	44%	43%	-1%

**Tables 1 and 2** illustrate the Regional Labor Market percentages versus the State of Delaware EEO-4 workforce representation for minorities and females for the past two years, by EEO-4 job category. Red highlights for FY21 and FY22 Delaware Minority and Female Labor Market Representation illustrate where the Executive Branch Workforce is underrepresented compared to the Regional Labor Market. Percent (%) Change illustrates either growth or regression during FY22, with red highlights indicating a decrease in Executive Branch Workforce Minority and Female Representation.

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## Executive Branch Workforce Demographics at a Glance

According to the U.S. Census Bureau’s [DE QuickFacts](#), the population in Delaware increased from approximately 989,000 as of April 1, 2020, to approximately one million people residing in the State as of July 1, 2021 (1.4% increase). Of that total, 42% are minorities (race and ethnicity) and 52% are females. By comparison, the Executive Branch agency workforce consists of 38% minorities and 52% females. The two largest minority groups residing in Delaware are Black or African Americans (24% of the total population) and Hispanic or Latino (10% of the total population). By comparison, the Executive Branch agency workforce consists of 28% Black or African Americans (+4%) and 4% Hispanic/Latinos (-6%). Delaware’s state government workforce demographic data reflect the race/ethnicity and gender representation of the state’s population.

**Table 3** below provides a brief synopsis of the overall Executive Branch Agency EEO-4 workforce demographics by EEO-4 job category drawn from PHRST on June 30, 2022. The table below does not include casual/seasonal employees or employees that voluntarily self-identified as having a disability.

**Executive Branch FY22 EEO-4 Status Report  
(Without Casual/Seasonal)  
June 30, 2022**

**Table 3**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	301	77	9	11	0	4	7	409	37%	19	477	160	19	14	0	1	12	683	63%	24	1092	314	29%
2 Professionals	1148	327	51	72	3	3	32	1636	34%	83	1796	973	161	128	0	8	81	3147	66%	119	4783	1839	38%
3 Technicians	403	48	10	9	0	4	11	485	71%	22	134	45	10	3	0	1	3	196	29%	0	681	144	21%
4 Protective Services	1282	520	114	18	3	9	38	1984	81%	51	202	219	28	4	0	2	14	469	19%	3	2453	969	40%
5 Para Professional	114	176	20	3	1	1	8	323	29%	16	336	362	33	15	0	4	22	772	71%	18	1095	645	59%
6 Office & Clerical	95	38	10	7	0	1	5	156	13%	13	634	341	49	24	2	6	22	1078	87%	54	1234	505	41%
7 Skilled Craft	660	62	30	9	0	7	12	780	97%	13	21	2	3	0	0	0	0	26	3%	1	806	125	16%
8 Service Maintenance	110	81	5	4	0	2	7	209	61%	8	58	63	4	4	0	1	2	132	39%	3	341	173	51%
<b>Totals</b>	<b>4113</b>	<b>1329</b>	<b>249</b>	<b>133</b>	<b>7</b>	<b>31</b>	<b>120</b>	<b>5982</b>	<b>48%</b>	<b>225</b>	<b>3658</b>	<b>2165</b>	<b>307</b>	<b>192</b>	<b>2</b>	<b>23</b>	<b>156</b>	<b>6503</b>	<b>52%</b>	<b>222</b>	<b>12485</b>	<b>4714</b>	<b>38%</b>

**Table 3** illustrates the total FY22 workforce demographics for all Executive Branch agencies by race/ethnicity and gender. This is an overview of the entire State of Delaware Executive Branch EEO-4 Workforce by EEO-4 job category. *Table 3 data were obtained from the PHRST system as of 06/30/2022.*



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**Overall Executive Branch Workforce - Table 3**

- At 6,503, females represent (52%) of the State’s workforce, *the same percentage rate as in FY21*.
- Minority females comprise 2,845 or (44%) of the female workforce, and (23%) of the total workforce.
- At 5,982 Males represent (48%) of the State’s workforce, *the same percentage rate as in FY21*.
- Minority males comprise 1,869 or (31%) of the male workforce, and (15%) of the total workforce.
- Employees who voluntarily self-identified as having a disability include 222 females, and 225 males for a total of 447 employees.

**Labor Market Representation**

The following labor market representation Tables 4, 5, and 6, (below) respectively, illustrate the Delaware regional labor market by demographic groupings. Each table provides a breakdown of the grouping by race and ethnicity to help further illustrate comparisons and cross-tabulations within each demographic grouping.

**Minority Labor Market Representation – Table 4**

- Minority employees overall (male and female), show a high percentage of representation in the Paraprofessionals EEO-4 job category at (59%), followed by Service Maintenance (51%), and Office Clerical respectively at (41%). However, minorities show an overall continued trend of underrepresentation in the Technician (-16%) and Skilled Craft (-10%) job categories, which remain the same as in FY21.

**Female Labor Market Representation – Table 5**

- Females represent over half the workforce in the following categories: Office and Clerical (87%), Paraprofessionals (71%), Professionals (66%), and Officials and Administrators (63%). Females are underrepresented in the following categories: Technicians (-21%), Paraprofessionals (-6%), Service Maintenance (-5%), and Skilled Craft (-3%).

**Male Labor Market Representation – Table 6**

- Areas of overall underrepresentation for male employees exist in three EEO-4 categories: Office and Clerical (-22%), Officials and Administrators (-17%), and Professionals (-7%).

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	29%	4%	22%	3%	2%	0%	0%	2%
2 Professionals	29%	38%	10%	27%	4%	4%	0%	0%	2%
3 Technicians	38%	21%	-16%	14%	3%	2%	0%	1%	2%
4 Protective Services	37%	40%	3%	30%	6%	1%	0%	0%	2%
5 Para Professional	34%	59%	25%	49%	5%	2%	0%	0%	3%
6 Office & Clerical	31%	41%	10%	31%	5%	3%	0%	1%	2%
7 Skilled Craft	26%	16%	-10%	8%	4%	1%	0%	1%	1%
8 Service Maintenance	45%	51%	6%	42%	3%	2%	0%	1%	3%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 5**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	63%	17%	44%	15%	2%	1%	0%	0%	1%
2 Professionals	59%	66%	7%	38%	20%	3%	3%	0%	0%	2%
3 Technicians	50%	29%	-21%	20%	7%	1%	0%	0%	0%	0%
4 Protective Services	19%	19%	0%	8%	9%	1%	0%	0%	0%	1%
5 Para Professional	77%	71%	-6%	31%	33%	3%	1%	0%	0%	2%
6 Office & Clerical	65%	87%	22%	51%	28%	4%	2%	0%	0%	2%
7 Skilled Craft	6%	3%	-3%	3%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	39%	-5%	17%	18%	1%	1%	0%	0%	1%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 6**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	37%	-17%	28%	7%	1%	1%	0%	0%	1%
2 Professionals	41%	34%	-7%	24%	7%	1%	2%	0%	0%	1%
3 Technicians	50%	71%	21%	59%	7%	1%	1%	0%	1%	2%
4 Protective Services	81%	81%	0%	52%	21%	5%	1%	0%	0%	2%
5 Para Professional	23%	29%	6%	10%	16%	2%	0%	0%	0%	1%
6 Office & Clerical	35%	13%	-22%	8%	3%	1%	1%	0%	0%	0%
7 Skilled Craft	94%	97%	3%	82%	8%	4%	1%	0%	1%	1%
8 Service Maintenance	56%	61%	5%	32%	24%	1%	1%	0%	1%	2%

**Tables 4, 5, and 6** illustrate the variance between the Regional Labor Market and Executive Branch demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

*Tables 4, 5, and 6 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Representation Trends FY20, 21, 22**

**Table 7**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	7%	4%	4%
2 Professionals	15%	9%	10%
3 Technicians	-4%	-15%	-16%
4 Protective Services	8%	2%	3%
5 Paraprofessional	27%	26%	25%
6 Office & Clerical	16%	10%	10%
7 Skilled Craft	-7%	-11%	-10%
8 Service Maintenance	9%	6%	6%

**Female Representation Trends FY20, 21, 22**

**Table 8**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	16%	17%	17%
2 Professionals	10%	8%	7%
3 Technicians	-20%	-18%	-21%
4 Protective Services	-7%	0%	0%
5 Paraprofessional	-15%	-5%	-6%
6 Office & Clerical	23%	23%	22%
7 Skilled Craft	-1%	-3%	-3%
8 Service Maintenance	-3%	-3%	-5%

**Male Representation Trends FY20, 21, 22**

**Table 9**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	-16%	-17%	-17%
2 Professionals	-20%	-8%	-7%
3 Technicians	20%	18%	21%
4 Protective Services	7%	0%	0%
5 Paraprofessional	15%	5%	6%
6 Office & Clerical	-23%	-23%	-22%
7 Skilled Craft	1%	3%	3%
8 Service Maintenance	3%	3%	5%

**Tables 7, 8, and 9** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 7, 8, and 9 data were obtained from the PHRST system as of 06/30/2022.*

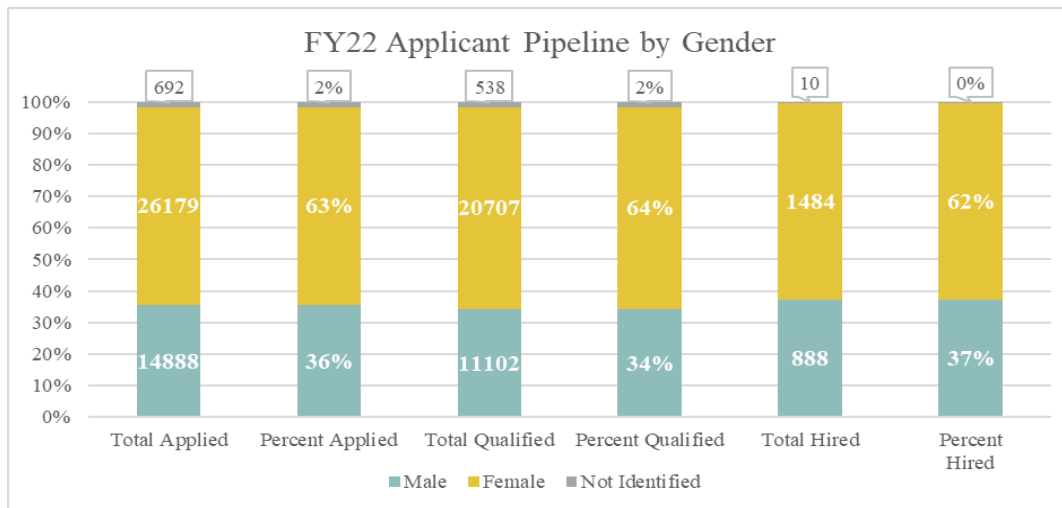
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## APPLICANT PIPELINE

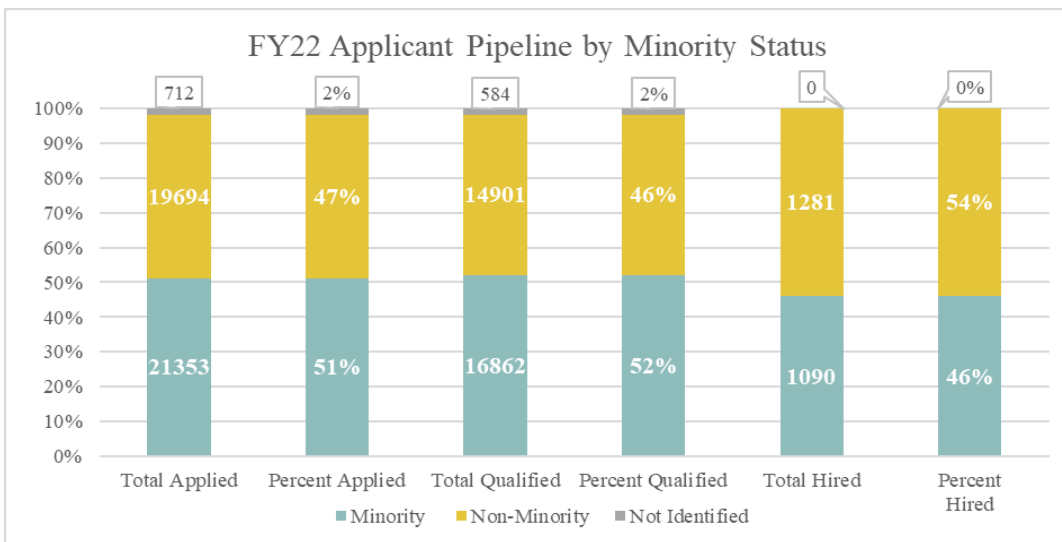
<u>Fiscal Year</u>	<u>Total Jobs Posted</u>	<u>Total Applications</u>
FY21	2,754	48,984
FY22	4,096	41,759

There was a 33% increase in the number of jobs posted on the Delaware Employment Link (JobAps) Recruitment System in FY22 compared to FY21. However, there was a 15% decrease in applications for Executive Branch Agency jobs in FY22 compared to FY21. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments. Most executive branch agencies use the Delaware Employment Link as their primary recruitment mechanism. However, the following executive branch agencies recruit on their own platforms and not the Delaware Employment Link: *Education, National Guard, Housing Authority, and State Police, an agency within the Department of Safety and Homeland Security.*

**Figure 10**



**Figure 11**



**Figures 10 and 11** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov). by minority status and gender. Further illustrated is the total number of applicants who were found qualified and hired, also by minority status and gender. This data represents those who applied to any posted job in FY22, including casual/seasonal jobs. Although casual/seasonal positions are not counted on EEO reporting, system limitations resulted in casual/seasonal jobs being included in this data set.

*Figures 10 and 11 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022*

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**Executive Branch Retirement Summary**

Following are key retirement eligibility statistics and observations summarized from the Executive Branch agency FY22 annual EEO/AA report data. The retirement information provides insight into the percentage of employees that are retirement eligible. The intent for providing this information is to encourage each agency Cabinet Secretary to examine this information with their teams and to proactively plan for succession management, particularly among leadership, within the agency, as well as plan for knowledge transfer and information sharing to better mitigate the risks associated with potentially losing mission-critical institutional intelligence due to abrupt retirement decisions.

Upon request to the DHR Cabinet Secretary or her designee, each agency will be provided with a listing of job positions, along with the incumbent's name, showing what roles and which employees within their agency meet the eligible new criteria. An examination of this list will help agency leadership to collaborate with designated DHR cross-functional teams to prioritize and develop strategies for succession planning, knowledge transfer, and information sharing.

Retirement Eligible Criteria: \*

*Employees Initially hired before January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60;
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

Exceptions:

**Department of Correction:** Per H.B. 207, DOC employees in the Correctional Officer and Probation & Parole series receiving Hazardous Duty Level A-1 are fully eligible to retire after 25 years of state service.

**Department of Natural Resources and Environmental Control:** Per H.B. 363, DNREC Officers are fully eligible to retire after 25 years of credited state service.

**Delaware State Police:** Per Del. Code Title 11, Chapter 83, DSP Uniformed Officers are eligible to retire if their age plus years of credited service (at least ten (10) years' service) equals 75, or with 20 years of credited service.

**Department of Safety and Homeland Security:** Per H.B. 363, DSHS Capital Police Officers and Division of Alcohol and Tobacco Enforcement agents are fully eligible to retire after 25 years of credited state service.

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**Table 12** below displays the percentages of Executive Branch retirement eligibilities, followed by **Table 13**, which displays the number of retirement-eligible employees by each Executive Branch agency as of June 30, 2022.

**Table 12**

<b>RETIREMENT ELIGIBILITY BREAKDOWN FY22</b>		
Total Executive Branch Eligible as of June 30, 2022.	<ul style="list-style-type: none"> <li>1,443 employees (12%) of filled positions</li> </ul>	
Agencies with the Highest Percentage of Employees Eligible as of June 30, 2022	<ul style="list-style-type: none"> <li>State Police, a division of Safety &amp; Homeland Security – 236 employees (25%) of filled positions</li> <li>Finance – 51 employees (22%) of filled positions</li> <li>Agriculture – 24 employees (18%) of filled positions</li> <li>Secretary of State – 73 employees (16%) of filled positions</li> <li>Technology &amp; Information – (15%) of filled positions</li> <li>Health and Social Services – 391 employees (13%) of filled positions</li> </ul>	<ul style="list-style-type: none"> <li>Plan for succession, knowledge transfer, and cross-training among agency employees.</li> <li>Examine decision-making authority between agency leadership and DHR Class/Comp to utilize <i>the dual incumbency*</i> process.</li> <li>Examine the utilization of the retirement retention incentive program and its impact on the budget.</li> </ul>

\*Merit Rule: **10.8 Dual Incumbency**. With the approval of the DHR Secretary, employees may temporarily occupy the same position as a paid primary incumbent.

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**Table 13 Executive Branch Retirement Eligibility by Agency- FY22**

<b>Department of Agriculture</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
135	118	17	24	0	0	19	75
<b>Department of Transportation</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
1852	1627	225	172	7	0	378	1070
<b>Department of Human Resources</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
260	216	44	14	0	0	58	144
<b>Department of Health and Social Services</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
4077	3089	988	379	12	0	819	1879
<b>Delaware National Guard</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
128	112	16	5	0	0	17	90
<b>Department of Natural Resources and Environmental Control</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
740	661	79	60	1	0	142	458
<b>Department of Correction</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
2648	2281	367	149	1	25	622	1484
<b>Department of Education</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
287	266	21	34	1	0	88	143

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Department of Finance							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
308	228	80	50	1	0	59	118
Department of Labor							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
474	353	121	48	0	0	79	226
Department of State							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
634	457	177	68	5	0	99	285
Department of Services for Children, Youth, and Their Families							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
1097	1081	16	90	2	0	242	747
Delaware State Housing Authority							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
161	133	28	1	0	0	0	132
Department of Safety and Homeland Security							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
280	254	26	27	0	0	67	160
Delaware State Police							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
1006	950	56	236	0	0	58	656
Department of Technology and Information							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
326	300	26	46	0	0	79	175
Office of Management and Budget							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible	Not Eligible
325	280	45	32	1	0	54	193
Executive Branch Agency Totals							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
14738	12406	2332	1435	31	25	2880	8035

**Table 13** shows that as of June 30, 2022, there are 23% (2,801) of Executive Branch employees eligible to retire within the next five years with full or reduced retirement. *Table 13 data were obtained from the PHRST system as of 06/30/2022.*



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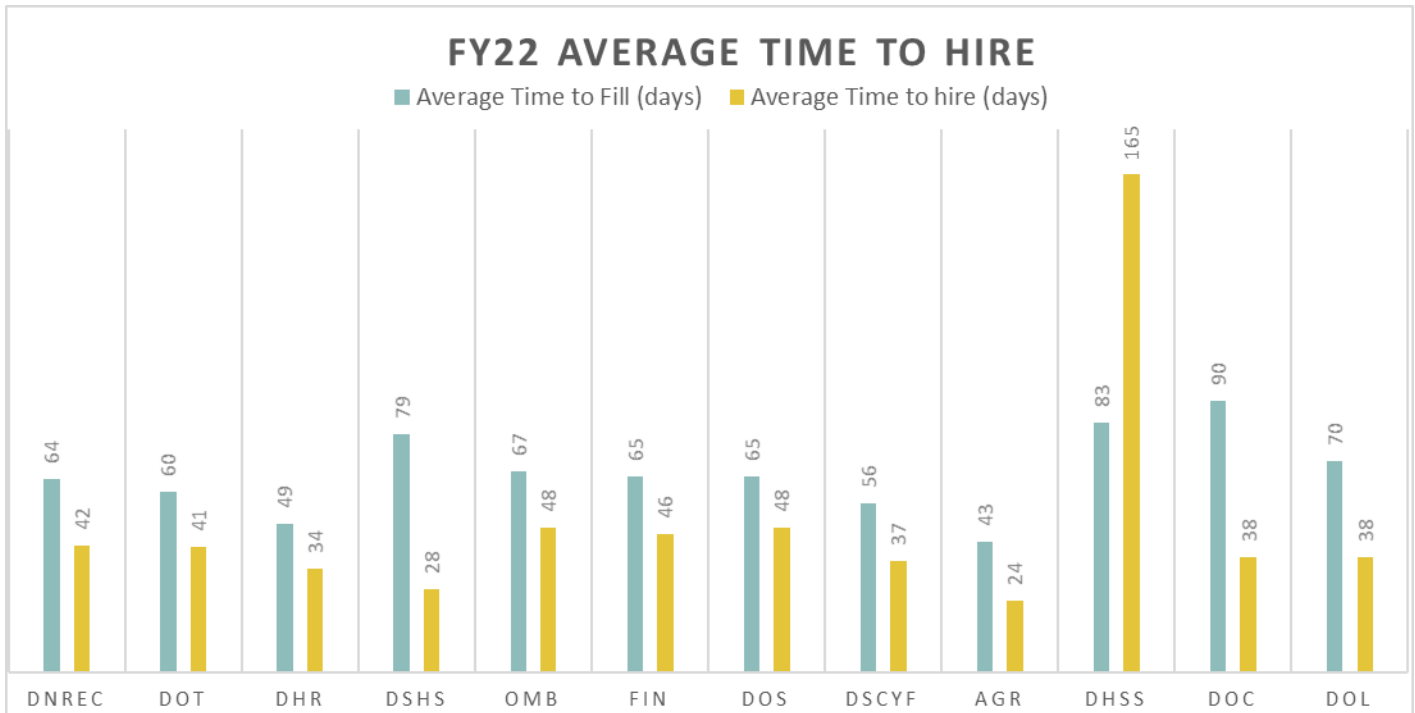
**TIME-TO-FILL / TIME-TO-HIRE METRICS**

**Hiring Times**

**Table 14**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	74	51
FY22	64	48
Change FY21 vs FY22	<b>-10</b>	<b>-3</b>

**Figure 15**



**Table 14 and Figure 15** illustrate the average time in calendar days it takes to hire for vacant jobs and *measure the hiring manager’s effectiveness in making hires.*

- **Time-to-Fill** is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- **Time-to-Hire** is measured by the number of calendar days from the time the referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

*Table 14 and Figure 15 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

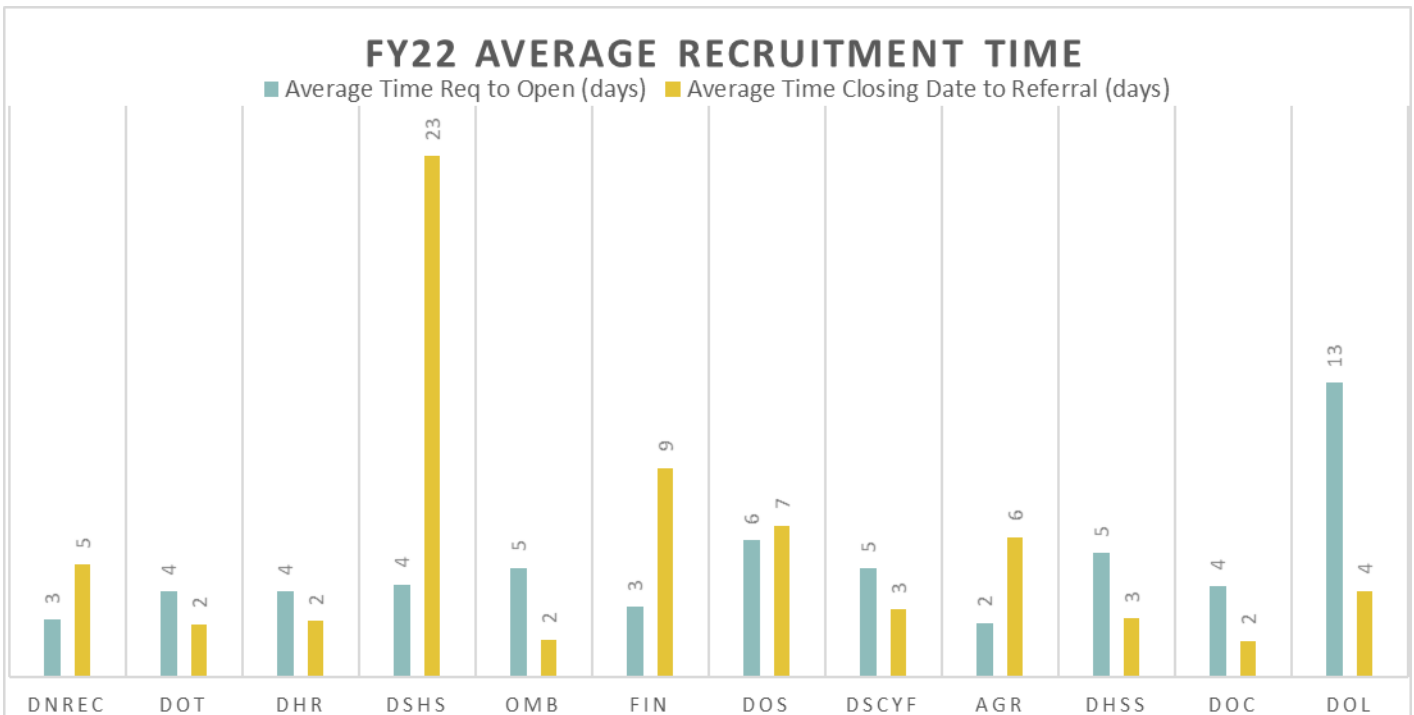
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**Recruitment Times**

**Table 16**

Fiscal Year	Average Time Request-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	3	7
FY22	5	6
Change FY21 vs FY22	2	-1

**Figure 17**



**Table 16 and Figure 17** illustrate the average time in calendar days it takes to post recruitments for vacant jobs and measure HR’s effectiveness in processing recruitments.

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from when they receive a request to fill a vacant position until the recruitment is posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

Table 16 and Figure 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.

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**Table 18**

AGENCY COMPLAINT LOG SUMMARY TABLE FY22 ALL EXECUTIVE BRANCH AGENCIES													
<b>Total Complaints by Gender as of 06/30/2022</b>		<b>DOT</b>	<b>DHR</b>	<b>DHSS</b>	<b>DOC</b>	<b>DOE</b>	<b>DOF</b>	<b>DOL</b>	<b>DOS</b>	<b>DSCYF</b>	<b>OMB</b>	<b>DNREC</b>	<b>DSHS</b>
Male	95	12	1	20	19	2	0	1	4	23	1	12	0
Woman	146	8	2	48	33	3	4	7	14	19	0	8	0
Other	1	0	0	0	0	0	0	0	0	0	0	1	0
<b>Total</b>	<b>255</b>	<b>20</b>	<b>3</b>	<b>68</b>	<b>52</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>18</b>	<b>42</b>	<b>1</b>	<b>21</b>	<b>0</b>
<b>Total Complaints by Race/Ethnicity as of 06/30/2022</b>		<b>DOT</b>	<b>DHR</b>	<b>DHSS</b>	<b>DOC</b>	<b>DOE</b>	<b>DOF</b>	<b>DOL</b>	<b>DOS</b>	<b>DSCYF</b>	<b>OMB</b>	<b>DNREC</b>	<b>DSHS</b>
Black - African American	89	6	2	35	13	2	1	0	8	19	1	2	0
Asian	5	2	0	2	0	0	0	0	1	0	0	0	0
Hispanic/Latinx	14	0	0	5	5	0	1	0	0	3	0	0	0
Native American/Alaskan Native	0	0	0	0	0	0	0	0	0	0	0	0	0
Not identified	1	0	0	0	0	0	0	0	0	0	0	1	0
Pacific Islander/Native Hawaiian	0	0	0	0	0	0	0	0	0	0	0	0	0
Two or more races	5	1	0	1	1	0	0	0	2	0	0	0	0
White	128	11	1	25	33	3	2	8	7	20	0	18	0
<b>Total</b>	<b>255</b>	<b>20</b>	<b>3</b>	<b>68</b>	<b>52</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>18</b>	<b>42</b>	<b>1</b>	<b>21</b>	<b>0</b>
<b>Total Complaints by Employment Status as of 06/30/2022</b>		<b>DOT</b>	<b>DHR</b>	<b>DHSS</b>	<b>DOC</b>	<b>DOE</b>	<b>DOF</b>	<b>DOL</b>	<b>DOS</b>	<b>DSCYF</b>	<b>OMB</b>	<b>DNREC</b>	<b>DSHS</b>
Merit	212	18	3	57	51	0	3	7	18	42	1	12	0
Non-Merit Exempt	8	0	0	2	0	5	1	0	0	0	0	0	0
Casual/Seasonal	17	2	0	6	1	0	0	0	0	0	0	8	0
Temp/Contract	5	0	0	3	0	0	0	1	0	0	0	1	0
<b>Total</b>	<b>255</b>	<b>20</b>	<b>3</b>	<b>68</b>	<b>52</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>18</b>	<b>42</b>	<b>1</b>	<b>21</b>	<b>0</b>
<b>Total Complaints by Category as of 06/30/2022</b>		<b>DOT</b>	<b>DHR</b>	<b>DHSS</b>	<b>DOC</b>	<b>DOE</b>	<b>DOF</b>	<b>DOL</b>	<b>DOS</b>	<b>DSCYF</b>	<b>OMB</b>	<b>DNREC</b>	<b>DSHS</b>
Informal	94	13	0	47	3	2	0	3	3	4	0	19	0
Formal	137	6	3	17	49	3	4	3	13	36	1	2	0
External	11	1	0	4	0	0	0	2	2	2	0	0	0
<b>Total</b>	<b>255</b>	<b>20</b>	<b>3</b>	<b>68</b>	<b>52</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>18</b>	<b>42</b>	<b>1</b>	<b>21</b>	<b>0</b>
<b>Total Complaints by Type as of 06/30/2022</b>		<b>DOT</b>	<b>DHR</b>	<b>DHSS</b>	<b>DOC</b>	<b>DOE</b>	<b>DOF</b>	<b>DOL</b>	<b>DOS</b>	<b>DSCYF</b>	<b>OMB</b>	<b>DNREC</b>	<b>DSHS</b>
ADA	8	0	0	0	0	0	0	2	1	2	0	3	0
Discrimination	25	1	0	3	2	1	2	4	6	4	0	2	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	59	4	0	33	2	3	0	0	0	5	0	12	0
Harassment	38	7	0	3	2	0	1	0	7	18	0	0	0
Hostile Work Environment	81	4	0	17	44	1	0	1	2	10	0	2	0
Merit Rule	5	0	3	0	0	0	0	0	0	0	1	1	0
Misconduct	10	4	0	4	0	0	0	0	0	1	0	1	0
Retaliation	8	0	0	4	1	0	0	0	2	1	0	0	0
Sexual Harassment	7	0	0	3	1	0	1	1	0	1	0	0	0
Workplace Violence	1	0	0	1	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>255</b>	<b>20</b>	<b>3</b>	<b>68</b>	<b>52</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>18</b>	<b>42</b>	<b>1</b>	<b>21</b>	<b>0</b>
<b>Total Complaints by Current Status as of 06/30/2022</b>		<b>DOT</b>	<b>DHR</b>	<b>DHSS</b>	<b>DOC</b>	<b>DOE</b>	<b>DOF</b>	<b>DOL</b>	<b>DOS</b>	<b>DSCYF</b>	<b>OMB</b>	<b>DNREC</b>	<b>DSHS</b>
Open	63	8	0	10	13	2	1	2	4	15	0	8	0
Closed	179	12	3	58	39	3	3	6	14	27	1	13	0
<b>Total</b>	<b>255</b>	<b>20</b>	<b>3</b>	<b>68</b>	<b>52</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>18</b>	<b>42</b>	<b>1</b>	<b>21</b>	<b>0</b>
<b>Total Complaints by Resolution as of 06/30/2022</b>		<b>DOT</b>	<b>DHR</b>	<b>DHSS</b>	<b>DOC</b>	<b>DOE</b>	<b>DOF</b>	<b>DOL</b>	<b>DOS</b>	<b>DSCYF</b>	<b>OMB</b>	<b>DNREC</b>	<b>DSHS</b>
To be Determined	86	8	0	48	0	2	1	5	4	12	0	6	0
Substantiated	17	5	2	1	0	0	2	0	2	3	0	2	0
Unsubstantiated	87	7	1	19	0	3	1	3	12	27	1	13	0
<b>Total</b>	<b>203</b>	<b>20</b>	<b>3</b>	<b>68</b>	<b>0</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>18</b>	<b>42</b>	<b>1</b>	<b>21</b>	<b>0</b>

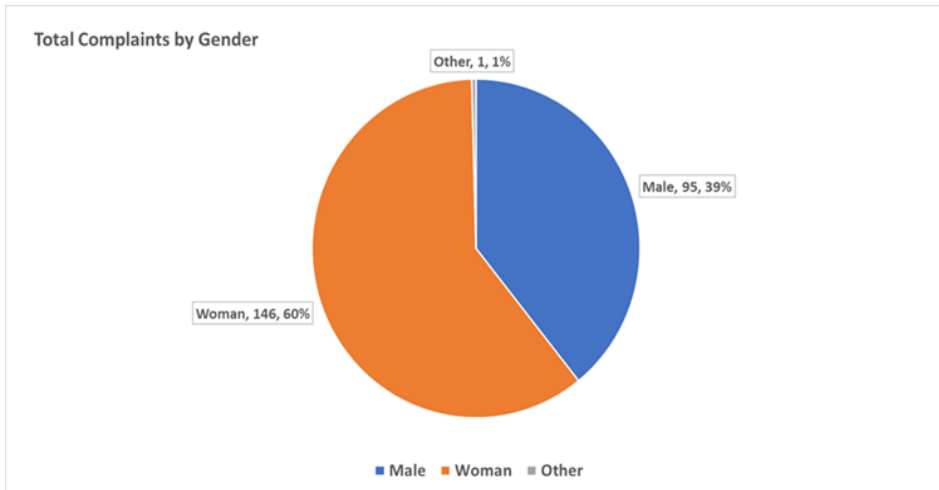
**Table 18** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution for each agency except for the Department of Safety and Homeland Security, which tracks complaints using independent methods.

Table 18 data were obtained from agency internal records during FY22.

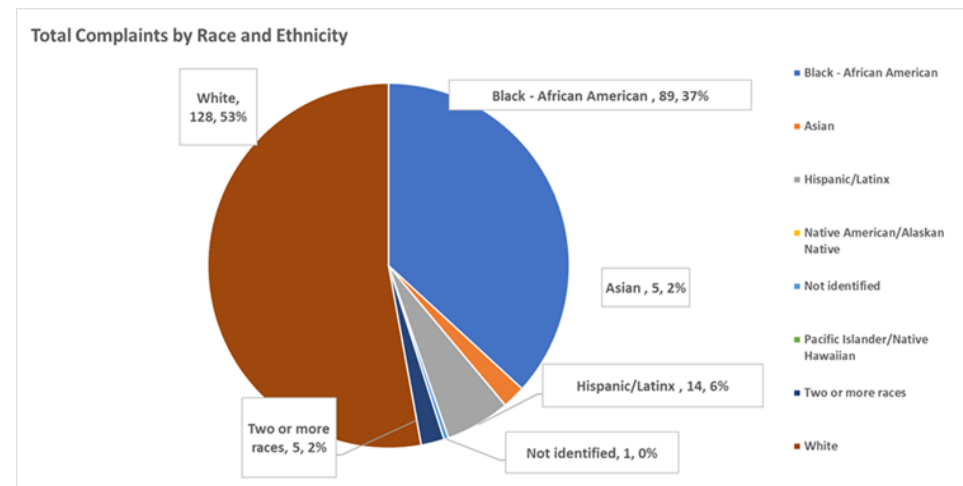
# STATE OF DELAWARE FY22 EXECUTIVE BRANCH EEO/AA REPORT AND FY23 ACTION PLAN EXECUTIVE SUMMARY

## Agency Complaint Log Summary for Executive Branch Agencies FY22

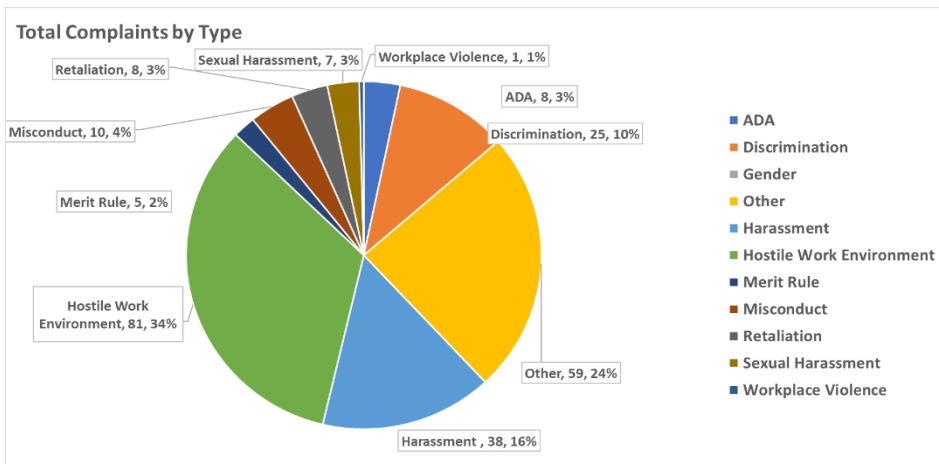
**Figure 19**



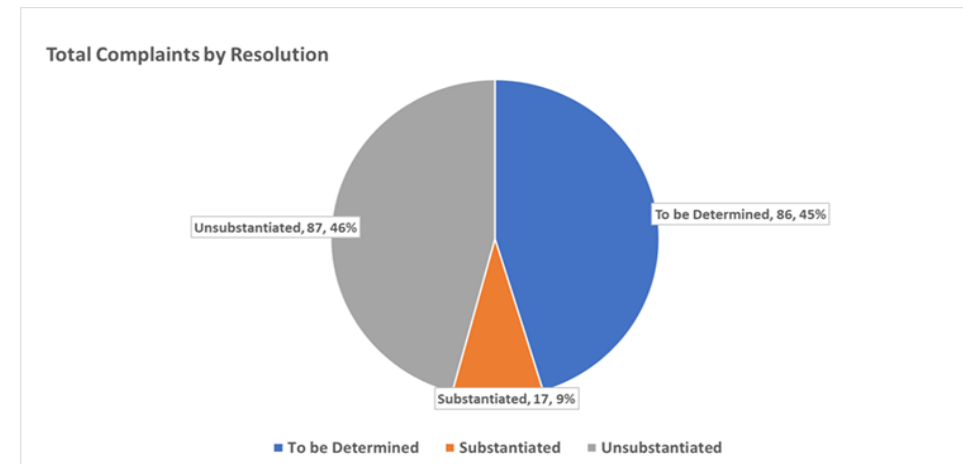
**Figure 20**



**Figure 21**



**Figure 22**



**Figures 19-22** illustrate total complaints by gender, race/ethnicity, employment status, type, and resolution as of 06/30/2022.

*Figures 19-22 data were obtained from agency internal records as of 06/30/2022.*

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**Table 20**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	145	21%	66	13%	-54%
Total Female Minority Disciplines	184	27%	136	28%	-26%
Total Male Non-Minority Disciplines	167	25%	146	30%	-13%
Total Male Minority Disciplines	184	27%	144	29%	-22%
<b>Total Disciplines</b>	<b>680</b>	<b>100%</b>	<b>492</b>	<b>100%</b>	<b>-28%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	373	26%	511	27%	27%
Total Female Minority Separations	421	30%	601	32%	30%
Total Male Non-Minority Separations	334	24%	469	25%	29%
Total Male Minority Separations	287	20%	298	16%	4%
<b>Total Separations</b>	<b>1415</b>	<b>100%</b>	<b>1879</b>	<b>100%</b>	<b>25%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	413	27%	800	30%	48%
Total Female Minority New Hires	512	33%	859	33%	40%
Total Male Non-Minority New Hires	341	22%	517	20%	34%
Total Male Minority New Hires	283	18%	449	17%	37%
<b>Total New Hires</b>	<b>1549</b>	<b>100%</b>	<b>2625</b>	<b>100%</b>	<b>41%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	378	27%	523	28%	28%
Total Female Minority Promotions	327	24%	443	23%	26%
Total Male Non-Minority Promotions	455	33%	637	34%	29%
Total Male Minority Promotions	230	17%	285	15%	19%
<b>Total Promotions</b>	<b>1390</b>	<b>100%</b>	<b>1888</b>	<b>100%</b>	<b>36%</b>

**Table 20** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status for all Executive Branch Agencies.

*Table 20 data were obtained from the PHRST system as of 06/30/2022.*

# STATE OF DELAWARE

## FY22 EXECUTIVE BRANCH EEO/AA REPORT AND FY23 ACTION PLAN

### EXECUTIVE SUMMARY

## Conclusion

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The comprehensive information presented in this report demonstrates to internal and external stakeholders that the State of Delaware is committed to achieving a workplace culture that fully embraces diversity, equity, and inclusion. The best strategy to promote an inclusive workplace - free of discrimination - is to lead, plan, educate, engage, and communicate the value of the State's workforce enterprise wide.

The FY22 report required EEO/AA leads from each Executive Branch agency to review and discuss with their respective Cabinet Secretary the EEO/AA data workbooks and FY23 Action Plans, the type of support and resources needed to attain the strategic priorities outlined in the individual agency plans, and gain the Cabinet Secretary's commitment to actively pursue the achievement of the strategic priorities, goals, and objectives outlined in the plan. This process facilitates a system of accountability and ownership to effect change.

The focus on three key strategic priorities in FY22-23 is illustrated in the Equal Employment Opportunity/Affirmative Action Annual Report/Plan Requirements for Executive Branch Agencies and further outlined in this report. The three strategic objectives are:

- Strategic Priority 1: Workplace Environment, Climate, and Culture
- Strategic Priority 2: Management and Supervisory Effectiveness
- Strategic Priority 3: Professional Development, Education, and Awareness

The aims outlined in each agency's FY23 Action Plan demonstrate the commitment of the Carney Administration to set achievable, transformative culture changes across Executive Branch agencies.

The DHR Cabinet Secretary and Chief Diversity Officer are scheduled to meet regularly with each agency Cabinet Secretary and HR Director to monitor compliance with the individual agency's EEO/AA reports and identify opportunities to address workforce diversity, equity, and inclusion matters.

For more information please contact:

Delaware Department of Human Resources  
Office of Diversity and Inclusion  
122 Martin Luther King, Jr. Blvd South  
Dover, Delaware 19901  
Phone: (302) 739-4195  
Email: [DHR\\_Diversity@Delaware.gov](mailto:DHR_Diversity@Delaware.gov)  
Fax: (302) 739-3000



Delaware Department of Agriculture (DDA)

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FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022




DELAWARE DEPARTMENT OF  
**AGRICULTURE**

2320 SOUTH DUPONT HIGHWAY  
DOVER, DELAWARE 19901  
AGRICULTURE.DELAWARE.GOV

TELEPHONE: (302) 698-4500  
TOLL FREE: (800) 282-8685  
FAX: (302) 697-6287

**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: Michael T. Scuse   
Cabinet Secretary, Department of Agriculture

SUBJECT: Department of Agriculture  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

DATE: December 7, 2022

Attached is a copy of the Department of Agriculture's FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.

If you have any questions, please feel free to contact me at 302-698-4501 or [Michael.Scuse@delaware.gov](mailto:Michael.Scuse@delaware.gov).


Thank you.

Enclosures



**STATE OF DELAWARE**  
**Department of Agriculture (DDA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> **The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.



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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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**9. Associated Policy/Regulations/Information**

- a. The procedures under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a target of discrimination or harassment under State or federal law.
- b. Making a complaint according to this policy will not extend the time frames, prescribed by statute, by which any person must file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a CBA, if applicable, or any court or regulatory body.
- c. The deadline for filing a charge with the DDOL or the EEOC under State and federal laws is three hundred (300) days from the date of the alleged discriminatory action.
- d. Standards of Conduct Policy and Procedures

**10. Appendices and Forms**

- Respectful Workplace and Anti-Discrimination Complaint Form
- Delaware Sexual Harassment Notice from Department of Labor

**11. Policy Owner**

- **Division Name:** Division of Labor Relations and Employment Practices
- **Policy Administrator:** Director of the Division of Labor Relations and Employment Practices
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

  
Michael T. Scuse, Secretary of Agriculture

  
Date

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

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The Department of Agriculture (DDA) experienced some significant personnel difficulties during FY22 and, unfortunately, these did impact our ability to work on personnel goals. The COVID pandemic was ongoing through the winter and the vaccination/testing requirements increased workloads for DDA HR staff. At the same time, DDA experienced extreme difficulty in hiring and then an emergency response effort to avian influenza.

Anecdotally, DDA initially seemed somewhat immune to the “great resignation” trend that swept U.S. employers. We believe we benefitted from a work environment that staff like to work in as well as being an agency that seeks to support industry (agriculture), and where many staff share that as a personal goal. However, rising wages outside of state employment as well as increased vacancies in state positions did provide opportunities for those looking to either increase their income or seek promotion to roles with more responsibility. Overall, our Time-to-Fill metric decreased, but that hides the fact that we were forced to repost positions repeatedly to collect enough candidates and often finished the interview process with no candidates that would accept the position. Finance and Meat Inspection were hit especially hard with over 60% vacancy for much of FY22, which is still not resolved.

In addition, high-path avian influenza – an extremely contagious and deadly chicken disease was discovered at farms in Delaware and Maryland (and many other U.S. locations) triggering a joint emergency response between DDA, Maryland Dept of Ag, and USDA starting in February 2022, the peak of our staffing difficulties, and had significant activity through June. This put extra and unprecedented strain on our staff as it pulled resources from across the agency into the response.

Despite these challenges, we’re encouraged to see some improvement in our EEO metrics and are hopeful that these challenges are fading into memory. Hiring is still difficult but feels like it’s improved from last winter. The initial avian influenza farms are returning to normal operation, though we fear a repeat during this fall/winter, we will at least be better prepared. This should allow us more time to dedicate to continued improvement.

Fiscal Year 22 was characterized by massive hiring difficulties not only at DDA but across state government as well as private industries. DDA had great difficulty finding applicants, especially qualified applicants, for nearly all vacancies. Some positions, especially entry-level, were very hard to fill and experienced extremely high turnover. Sadly, it was common to finish the interview process and repost when all offers were declined by applicants. Higher pay grade positions were not immune and were often extended and/or reposted multiple times.

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Despite these difficulties, DDA reduced the time-to-fill by 8 days. DDA also increased minority hires by three in the past year. DDA requested and received approval for a blanket starting salary and leveling-up for the hard-to-fill Meat Inspector I classification. DDA was also included in the blanket starting salary and leveling-up for the Environmental Health Specialist II classification. DDA was successful in reclassifying several Environmental Scientist positions to the III Level and worked with DHR/Talent Acquisition to revise locations on several job postings to eliminate confusion for applicants when applying for specific jobs. DDA used all platforms of social media (Twitter, Facebook, LinkedIn, Handshake, and Glassdoor) on job postings. DDA staff participated in the DHR Statewide Career Fair on May 11, 2022.

The Department of Agriculture is committed to ensuring all its employees receive equality of opportunity limited only by everyone’s desire and ability. DDA provides a work environment that is diverse and free from discrimination. As an Equal Opportunity Employer, DDA does not discriminate on the basis of a person’s race, color, national origin, gender, age, sex, pregnancy, marital status, sexual orientation, gender identity or expression, religion, creed, disability, or veteran’s status, and victims of domestic violence, sexual assault and/or stalking, family responsibility, or any other category protected by state and/or federal civil rights laws. DDA complies with all applicable equal employment opportunity laws and regulations.

<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Administration	13
Agricultural Compliance	7
Food Products Inspection	20
Forest Service	19
Harness Racing Commission & Standardbred Racing	7
Pesticide Compliance	8
Planning	4
Plant Industries	12
Poultry & Animal Health	8
Thoroughbred Racing Commission	5
Weights & Measures	7
Nutrient Management	6
Aglands Foundation	2
<b>TOTALS</b>	<b>118</b>

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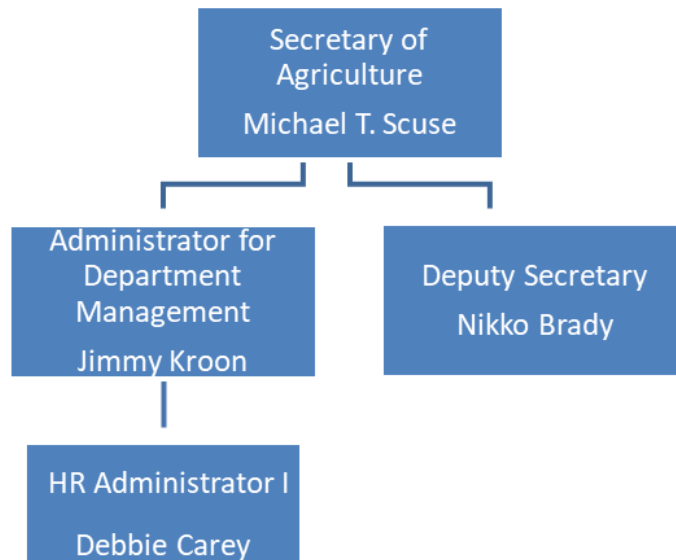
**Responsibilities for Implementation**

**RESPONSIBILITIES STATEMENT**

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The Secretary of Agriculture oversees the implementation of the Department’s Affirmative Action Plan to ensure that it is implemented promptly and effectively. The Human Resources Administrator I, Debbie Carey (302) 698-4510 or [Debbie.Carey@delaware.gov](mailto:Debbie.Carey@delaware.gov) implements the Affirmative Action Plan and ensures that managers follow federal and state laws, regulations, and executive orders. The Affirmative Action Officer’s duties and responsibilities include:

- Carry out all EEO/AA functions for the Department, including those duties and obligations described in Executive Order Number 30.
- Ensure that Affirmative Action efforts are included in the Performance Plans of managers and supervisors so they can be held accountable.
- Analyze statistical data to determine problem areas and Department needs for Affirmative Action and workforce diversity planning.
- Develop strategies and a plan of action to correct specific EEO problem areas within the Department.
- Assist managers in their understanding and compliance with EEO/AA.
- Investigate and facilitate the resolution of discrimination complaints.
- Meet with managers/supervisors to ensure compliance with the EEO/AA and fair employment practices.
- Review the process of selecting candidates for all positions to determine if artificial barriers prevent the advancement of women and minorities.
- Inform and update management on current developments in equal employment law.
- Promote equal opportunity for all employees in training and advancement.



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**Section III: FY22 Accomplishments: July 1, 2021 - June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	No overall workplace environment/ climate issues are to be addressed.	Continue a positive work environment with zero complaints.	Administration Managers	Continue a workplace environment that results in overall employee satisfaction and retention.	DDA received no complaints in FY22.  Turnover did increase for some positions, some dramatically, largely due to completion and rapid salary increases from competing employers and the slow rate at that a state government can respond to salary increases.



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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Without a way to retain and transfer knowledge , we experience difficulties training new employees and providing consistent, top-quality service to customers.	Ensuring that key knowledge from departing employees is stored and shared with supervisors and managers.	Managers	<p>Created an onboarding / offboarding checklist for managers to increase consistency and a positive beginning for new hires.</p> <p>Multiple positions have drafted desk manuals to document common work tasks and job functions.</p> <p>Though we have discussed dual incumbency with DDA HR, most vacancies during FY22 were not retirements and we did not have enough notice to use this.</p>	DDA will continue working on knowledge transfer tools.

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<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 2	18% (24 employees) are eligible to retire immediately and about 15% (31 employees) are eligible to retire within the next five years.	Determine at least the top three critical jobs that are on the retirement list and plan for transition 90 days prior to the retirement date.	DDA HR  Hiring Managers  Administration	DDA had many vacancies during FY22, usually due to promotions (internal and to other State agencies) and resignations rather than retirements.	DDA will continue to maintain awareness of employees and their retirement plans, to the best of our ability. Personnel and promotion rules always make planning for employee retirements difficult; retirement planning and knowledge transfer could be interpreted as favoring a particular staff member for promotion.
SP-2 Goal 3	Need to reduce the number of days it takes to fill vacancies.	Faster time-to-fill rates along with other hiring metrics.	DDA HR Hiring Managers  Administration	<p>Posted as expected vacancies prior to the last day of departing staff. Prioritized candidate review to provide certification lists ASAP after announcements closed.</p> <p>Continue to coach managers/supervisors to fill their vacancies in a reasonable time frame by reducing ‘dead time’ in the hiring process.</p>	<p>FY22 was characterized by massive hiring difficulties across state government as well as private industries. Unfortunately, DDA had great difficulty finding applicants, especially qualified applicants, for nearly all vacancies. Some positions, especially entry-level, were very hard to fill and experienced extremely high turnover. Sadly, it was common to finish interviews and repost when all offers were declined by applicants. Higher pay grade positions were not immune and were often extended and/or reposted multiple times.</p> <p>In spite of these difficulties, DDA reduced the time to fill by 8 days. Improvements were made in the time to create referral lists and for managers to interview and make offers.</p>

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Salary continues to be a challenge as our pay is often lower than similar positions in other state agencies (as well as the private sector and federal government) and thus it will continue to be a greater challenge to retain good employees.	Work towards ensuring salaries are more in line with our competition such as other State Agencies and the Federal Government.	Administration / DDA HR / DHR	<p>Continue to work with DHR to review job specifications, salary, and career ladder series where applicable.</p> <p>Early in FY22, we were limited in having staff go out to visit public schools or universities to discuss career opportunities with students due to COVID-19.</p> <p>We did create custom graphics for social media posts about our open positions.</p>	<p>DDA was included in the blanket starting salary and leveling-up for the Investigator job series.</p> <p>DDA also requested and received approval for a blanket starting salary and leveling-up for Meat Inspector I.</p>
SP-3 Goal 2	With limited personnel, it is difficult to attend job fairs and other events that may attract a diverse talent pool.	Ensuring there is a diverse pipeline for minorities and females as positions become vacant.	DDA HR / Administration/ DHR Talent Acquisition	<p>Work with DHR/Talent Acquisition to identify minority and female pipeline candidates.</p> <p>DDA staff participated in the DHR Statewide Career Fair on May 11, 2022.</p>	<p>As shown in Figs 19 &amp; 20, DDA tended to hire female and minority candidates at higher rates than would be expected based on the applicant pools we received.</p> <p>49% of qualified applicants and 67% of new hires were female.</p> <p>29% of qualified applicants and 47% of new hires were minorities.</p>

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**SECTION IV: WORKFORCE ANALYSIS**

**DDA Workforce Analysis Overview:**

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The Department of Agriculture is underrepresented in five EEO-4 categories but only has 118 employees, so opportunities to change their demographics are limited. Minorities represent 15% of the DDA workforce, a 3% increase from FY21.

Below are observable trends that affect DDA's opportunity to increase diversity in its workforce:

1. Recruiting and retention have been extremely difficult for the Meat Inspector classification. This classification is designated as essential and requires specialized training in order to obtain the required federal license. It is difficult to compete with USDA which offers higher salaries.
2. Competition is high from other State Agencies and the Federal Government in the industry in which DDA functions.
3. Several Seasonal Agricultural Commodity Inspectors are on-call positions, which makes it difficult to attract applicants.
4. Weights and Measures and Conservation Technicians receive training from DDA to become CDL drivers. Such employees are then often promoted competitively to other agencies that hire CDL drivers, such as DELDOT and DNREC.
5. DDA employee satisfaction and retention levels are high. However, the high retention rate limits recruitment which provides opportunities to increase diversity. DDA's relatively small size in terms of personnel often limits internal promotional opportunities, especially considering the high employee retention rates. The most common explanation employees provide for leaving is a lack of promotional opportunities.
6. DDA requires managers to participate in D&I-related training every year.
7. With limited personnel, it is difficult for DDA to attend job fairs and other events that would attract a diverse talent pool. However, DDA staff participated in the DHR Statewide Career Fair on May 11, 2022.
8. DDA does work with Smyrna High School's Agricultural program, but they need to expand this outreach to more diverse schools, so students gain interest in the field. They are looking to partner with DSU to help their students with capstone projects, but again they have limited staff.

In summary, DDA succeeds in creating a work environment that results in overall employee satisfaction and retention. However, DDA's resources are limited, and they must find ways to attract diverse talent pools to their positions as vacancies occur. Partnering with Delaware State University and the High School Pathways programs to offer internship/job shadowing opportunities could help to expose students to their work. DDA's workforce planning, and subsequent recruitment efforts, should be broad in scope but focus on positions with high turnover such as Meat Inspectors, Weights and Measures, and Conservation Technicians.

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## **DDA Demographics at a Glance:**

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The total number of DDA employees as of June 30, 2022, in the EEO-4 category is 118.

The DDA EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DDA workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DDA workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DDA does not hire in the Para-Professional and Service Maintenance EEO-4 categories.

The following summary of findings were derived from this data:

### **Minority Representation:**

- Minorities represent 15% of the total DDA workforce, a 3% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-10%)
  - Professional (-20%)
  - Technicians (-13%)
  - Office & Clerical (-19%)
  - Skilled Craft (-26%)

### **Female Representation:**

- Females represent 53% of the total DDA workforce, a 2% decrease from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-2%)
  - Professional (-1%)
  - Technicians (-4%)
  - Skilled Craft (-6%)

### **Male Representation:**

- Males represent 47% of the DDA workforce, a 2% increase from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Protective Services (-21%)
  - Office & Clerical (-29%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	8	0	0	0	0	0	0	8	57%	0	4	0	1	0	0	0	1	6	43%	0	14	2	14%
2 Professionals	19	0	1	0	0	0	0	20	43%	1	24	1	0	1	0	0	1	27	57%	0	47	4	9%
3 Technicians	13	2	0	0	0	0	0	15	54%	0	8	2	1	2	0	0	0	13	46%	0	28	7	25%
4 Protective Services	0	2	1	0	0	0	0	3	60%	0	2	0	0	0	0	0	0	2	40%	0	5	3	60%
5 Para Professional	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
6 Office & Clerical	1	0	0	0	0	0	0	1	6%	0	13	1	0	0	0	1	0	15	94%	0	16	2	13%
7 Skilled Craft	8	0	0	0	0	0	0	8	100%	0	0	0	0	0	0	0	0	0	0.00%	0	8	0	0%
8 Service Maintenance	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
<b>Totals</b>	<b>49</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>55</b>	<b>47%</b>	<b>1</b>	<b>51</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>63</b>	<b>53%</b>	<b>0</b>	<b>118</b>	<b>18</b>	<b>15%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	14%	-10%	0%	7%	0%	0%	0%	7%
2 Professionals	29%	9%	-20%	2%	2%	2%	0%	0%	2%
3 Technicians	38%	25%	-13%	14%	4%	7%	0%	0%	0%
4 Protective Services	37%	60%	23%	40%	20%	0%	0%	0%	0%
5 Para Professional	34%	0%	NA	0%	0%	0%	0%	0%	0%
6 Office & Clerical	31%	13%	-19%	6%	0%	0%	0%	6%	0%
7 Skilled Craft	26%	0%	-26%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	0%	NA	0%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	43%	-2%	29%	0%	7%	0%	0%	0%	7%
2 Professionals	59%	57%	-1%	51%	2%	0%	2%	0%	0%	2%
3 Technicians	50%	46%	-4%	29%	7%	4%	7%	0%	0%	0%
4 Protective Services	19%	40%	21%	40%	0%	0%	0%	0%	0%	0%
5 Para Professional	77%	0%	NA	0%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	65%	94%	29%	81%	6%	0%	0%	0%	6%	0%
7 Skilled Craft	6%	0%	-6%	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	0%	NA	0%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	57%	2%	57%	0%	0%	0%	0%	0%	0%
2 Professionals	41%	43%	1%	40%	0%	2%	0%	0%	0%	0%
3 Technicians	50%	54%	4%	46%	7%	0%	0%	0%	0%	0%
4 Protective Services	81%	60%	-21%	0%	40%	20%	0%	0%	0%	0%
5 Para Professional	23%	0%	NA	0%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	6%	-29%	6%	0%	0%	0%	0%	0%	0%
7 Skilled Craft	94%	100%	6%	100%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	0%	NA	0%	0%	0%	0%	0%	0%	0%

**Tables 2, 3, and 4** illustrate the variance between the Regional Labor Market and agency demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

*Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Representation Trends FY20, 21, 22**

**Table 5**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	-20%	-25%	-10%
2 Professionals	-13%	-19%	-20%
3 Technicians	-14%	-24%	-13%
4 Protective Services	4%	13%	23%
5 Paraprofessional	NA	NA	0%
6 Office & Clerical	-3%	-9%	-19%
7 Skilled Craft	-22%	-26%	-26%
8 Service Maintenance	NA	NA	0%

**Female Representation Trends FY20, 21, 22**

**Table 6**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	-8%	-9%	-2%
2 Professionals	5%	3%	-1%
3 Technicians	-8%	-5%	-4%
4 Protective Services	40%	31%	21%
5 Paraprofessional	NA	NA	0%
6 Office & Clerical	29%	30%	29%
7 Skilled Craft	-4%	-6%	-6%
8 Service Maintenance	NA	NA	0%

**Male Representation Trends FY20, 21, 22**

**Table 7**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	8%	9%	2%
2 Professionals	-5%	-3%	1%
3 Technicians	8%	5%	4%
4 Protective Services	-40%	-31%	-21%
5 Paraprofessional	NA	NA	0%
6 Office & Clerical	-29%	-30%	-29%
7 Skilled Craft	4%	6%	6%
8 Service Maintenance	NA	NA	0%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022.*



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**SECTION V: COMPLAINTS**

**DDA HAD ZERO COMPLAINTS IN FY22**

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

*Table 8 data were obtained from agency internal records during FY22.*

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	0	0%	0	0%	0%
Total Female Minority Disciplines	0	0%	1	100%	100%
Total Male Non-Minority Disciplines	1	100%	0	0%	-100%
Total Male Minority Disciplines	0	0%	0	0%	0%
<b>Total Disciplines</b>	<b>1</b>	<b>100%</b>	<b>1</b>	<b>100%</b>	<b>0%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	0	0%	12	48%	100%
Total Female Minority Separations	13	68%	3	12%	-77%
Total Male Non-Minority Separations	5	26%	9	36%	44%
Total Male Minority Separations	1	5%	1	4%	0%
<b>Total Separations</b>	<b>19</b>	<b>100%</b>	<b>25</b>	<b>100%</b>	<b>24%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	10	63%	8	40%	-20%
Total Female Minority New Hires	1	6%	3	15%	67%
Total Male Non-Minority New Hires	4	25%	7	35%	43%
Total Male Minority New Hires	1	6%	2	10%	50%
<b>Total New Hires</b>	<b>16</b>	<b>100%</b>	<b>20</b>	<b>100%</b>	<b>20%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	5	45%	4	33%	-20%
Total Female Minority Promotions	1	9%	2	17%	50%
Total Male Non-Minority Promotions	5	45%	4	33%	-20%
Total Male Minority New Hires	0	0%	2	17%	100%
<b>Total Promotions</b>	<b>11</b>	<b>100%</b>	<b>12</b>	<b>100%</b>	<b>9%</b>

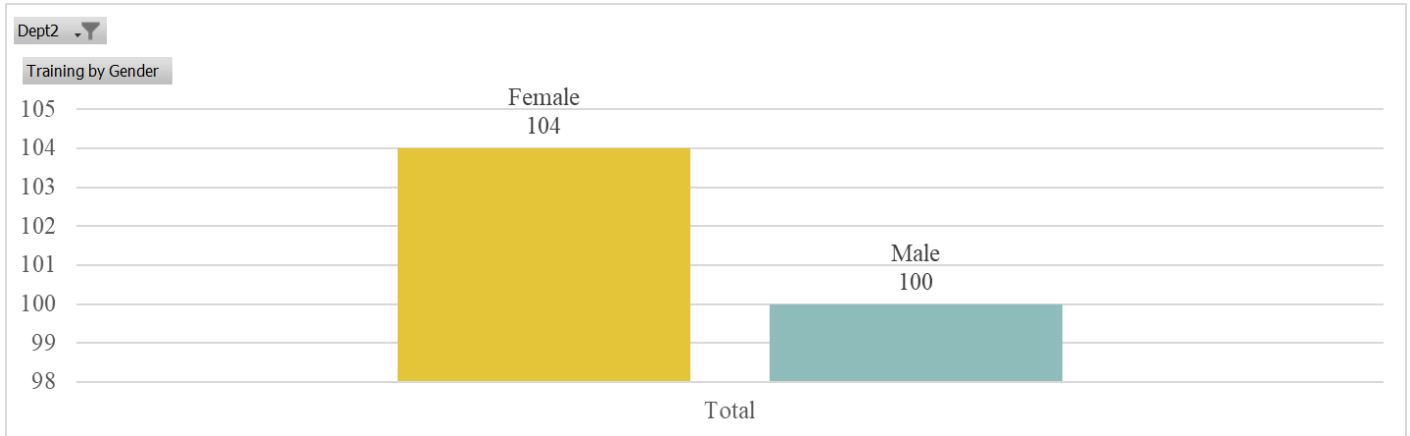
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

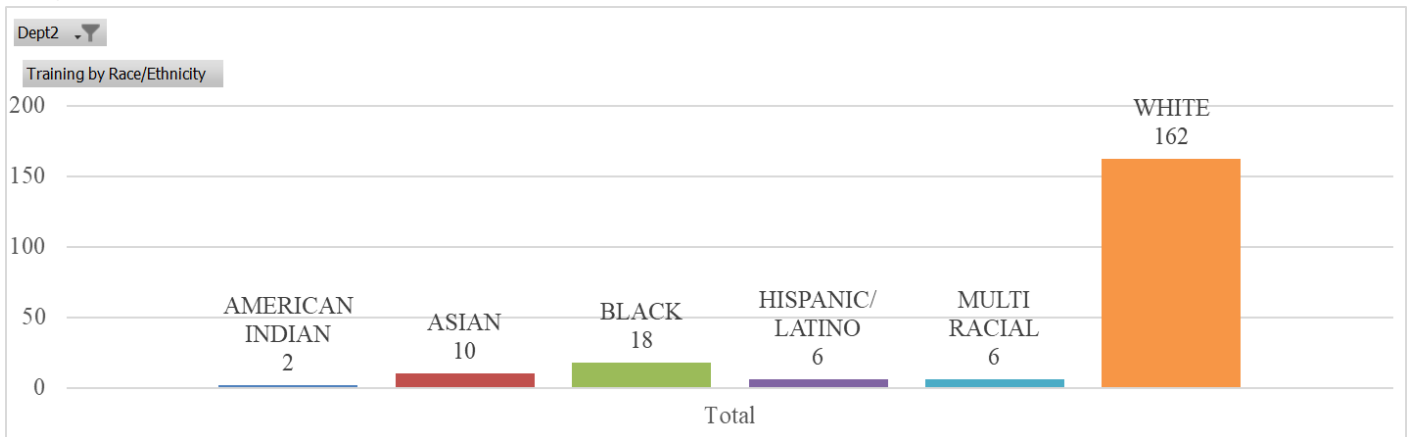
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**SECTION VII: EMPLOYEE ENGAGEMENT**

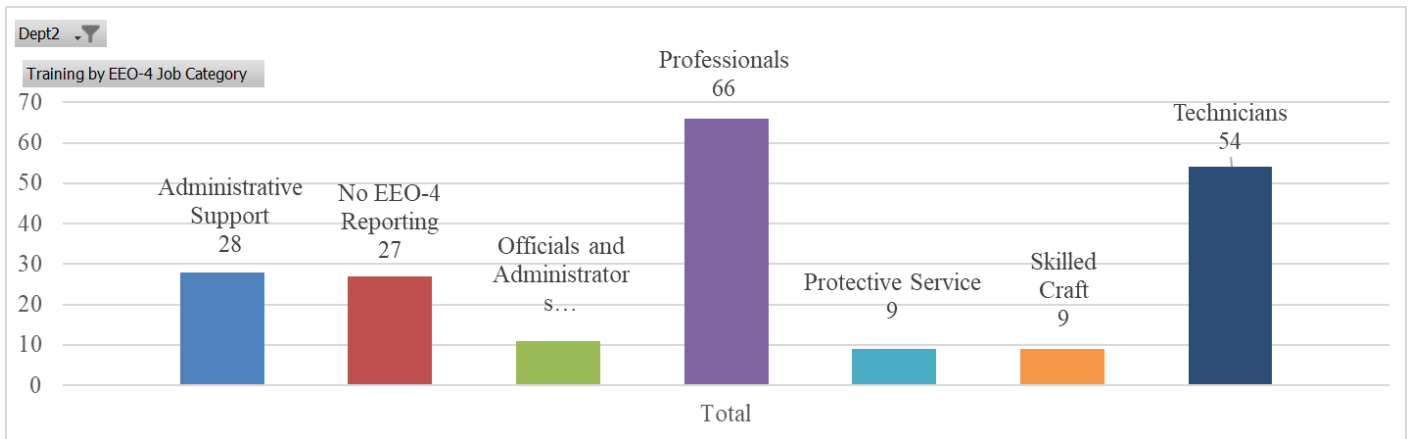
**Figure 10 Training by Gender**



**Figure 11 Training by Race/Ethnicity**



**Figure 12 Training by EEO-4 Job Category**



Figures 10-12 display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.

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**Table 13**

TUITION REIMBURSEMENT SUMMARY	
	Number
Total Non-Minority Female	0
Total Minority Female	0
Total Non-Minority Male	1
Total Minority Male	0
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>1</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

DISABILITIES SUMMARY	
	Number
Total Employees Self-Identified or Disclosed Disabled	1
Total Requests for Accommodations	1
Total Requests Accomodated	1
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program.

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

**STATE OF DELAWARE**  
**Department of Agriculture (DDA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Table 15**

<b>EXIT SURVEY SUMMARY</b>						
	<b>EXCELLEN</b>	<b>GOOD</b>	<b>AVERAGE</b>	<b>BELOW</b>	<b>POOR</b>	<b>TOTAL</b>
<b>Agency as a place to work</b>	41%	29%	12%	12%	6%	100%
	7	5	2	2	1	17
<b>Opportunity for advancement or promotion</b>	6%	6%	24%	24%	41%	100%
	1	1	4	4	7	17
<b>Recognition of accomplishments/contributions</b>	12%	41%	12%	12%	24%	100%
	2	7	2	2	4	17
<b>Relationships with co-workers</b>	47%	29%	24%	0%	0%	100%
	8	5	4	0	0	17
<b>Relationship with your manager/supervisor</b>	53%	18%	12%	6%	12%	100%
	9	3	2	1	2	17
<b>Agency commitment to quality and customer service</b>	35%	41%	18%	6%	0%	100%
	6	7	3	1	0	17
<b>Work area tools available to perform the functions of your job</b>	24%	65%	6%	6%	0%	100%
	4	11	1	1	0	17
<b>Performance goals were clear and you knew what was expected of you in your job</b>	24%	47%	18%	0%	12%	100%
	4	8	3	0	2	17
<b>Training and development needs were assessed and met</b>	24%	59%	12%	0%	6%	100%
	4	10	2	0	1	17
<b>Benefits package</b>	53%	47%	0%	0%	0%	100%
	9	8	0	0	0	17
<b>Compensation</b>	13%	0%	6%	31%	50%	100%
	2	0	1	5	8	16
<b>Family-Friendly Workplace</b>	50%	19%	25%	6%	0%	100%
	8	3	4	1	0	16

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*

**STATE OF DELAWARE**  
**DEPARTMENT OF AGRICULTURE (DDA)**  
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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
0	0	MGAA01	Agricultural Comm. Inspector I	1	0%	0%	0%
0	0	MDED01	Asst Vet Medical Officer	1	0%	0%	0%
0	2	MGCA03	Conservation Technician III	6	0%	33%	100%
0	0	MGBE02	Environmental Scientist II	7	0%	0%	0%
0	0	MGBE03	Environmental Scientist III	3	0%	0%	0%
1	0	MGBF02	Hydrologist II	1	100%	0%	-100%
2	1	MGAB01	Meat Inspector I	5	40%	20%	-100%
1	1	MGAG01	Weights and Measures Inspector I	2	50%	50%	0%
1	0	MGAG02	Weights and Measures Inspector II	3	33%	0%	-100%

**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MGAG01	Weights and Measures Inspector I	2	13	7	6	3
MGAG02	Weights and Measures Inspector II	N/A				
MDED01	Asst Vet Medical Officer	N/A				
MGAB01	Meat Inspector I	9	55	6	29	3
MGAB02	Meat Inspector II	N/A				
MGAA01	Agricultural Commodity Inspector I	3	14	5	11	4
MGCA01	Conservation Technician I	N/A				
MGCA02	Conservation Technician II	1	7	7	3	3
MGCA03	Conservation Technician III	N/A				
MGBE01	Environmental Scientist I	1	12	12	8	8
MGBE02	Environmental Scientist II	N/A				
MGBE03	Environmental Scientist III	N/A				
MGBF01	Hydrologist I	N/A				
MGBF02	Hydrologist II	N/A				

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

**STATE OF DELAWARE**  
**DEPARTMENT OF AGRICULTURE (DDA)**  
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**Table 18**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
650101100	Dept of Agr/Administration	13%	14%	1%
650102200	Dept of Agr/Agriclt Complia	0%	25%	25%
650103300	Dept of Agr/Fd Prodcets Insp	0%	67%	67%
650104400	Dept of Agr/Forest Service	0%	18%	18%
650105500	Dept of Agr/Harness Racing	0%	0%	0%
650106600	Dept of Agr/Pesticides	29%	0%	-29%
650107700	Dept of Agr/Planning	0%	80%	80%
650108800	Dept of Agr/Plant Industrie	8%	0%	-8%
650109900	Dept of Ag / Animal Health	11%	22%	11%
650110010	Dept of Agr/Thrghbred Race	0%	0%	0%
650111110	Dept of Agr/Weights & Measu	57%	33%	-24%
650112120	Dept of Agr/Nutrient Managm	0%	0%	0%
650113130	Dept of Agr/Lands Preservat	0%	0%	0%
<b>Department Average</b>		<b>9%</b>	<b>20%</b>	<b>11%</b>

**Table 19**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MDED01	Asst Vet Medical Officer	0%	0%	0%
MGAA01	Agricultural Commodity Inspector I	0%	0%	0%
MGAB01	Meat Inspector I	0%	133%	133%
MGAB02	Meat Inspector II	0%	600%	600%
MGAG01	Weights and Measures Inspector I	57%	50%	-7%
MGAG02	Weights and Measures Inspector II	200%	0%	-200%
MGBE02	Environmental Scientist II	14%	0%	-14%
MGBE03	Environmental Scientist III	0%	0%	0%
MGCA03	Conservation Technician III	0%	18%	18%

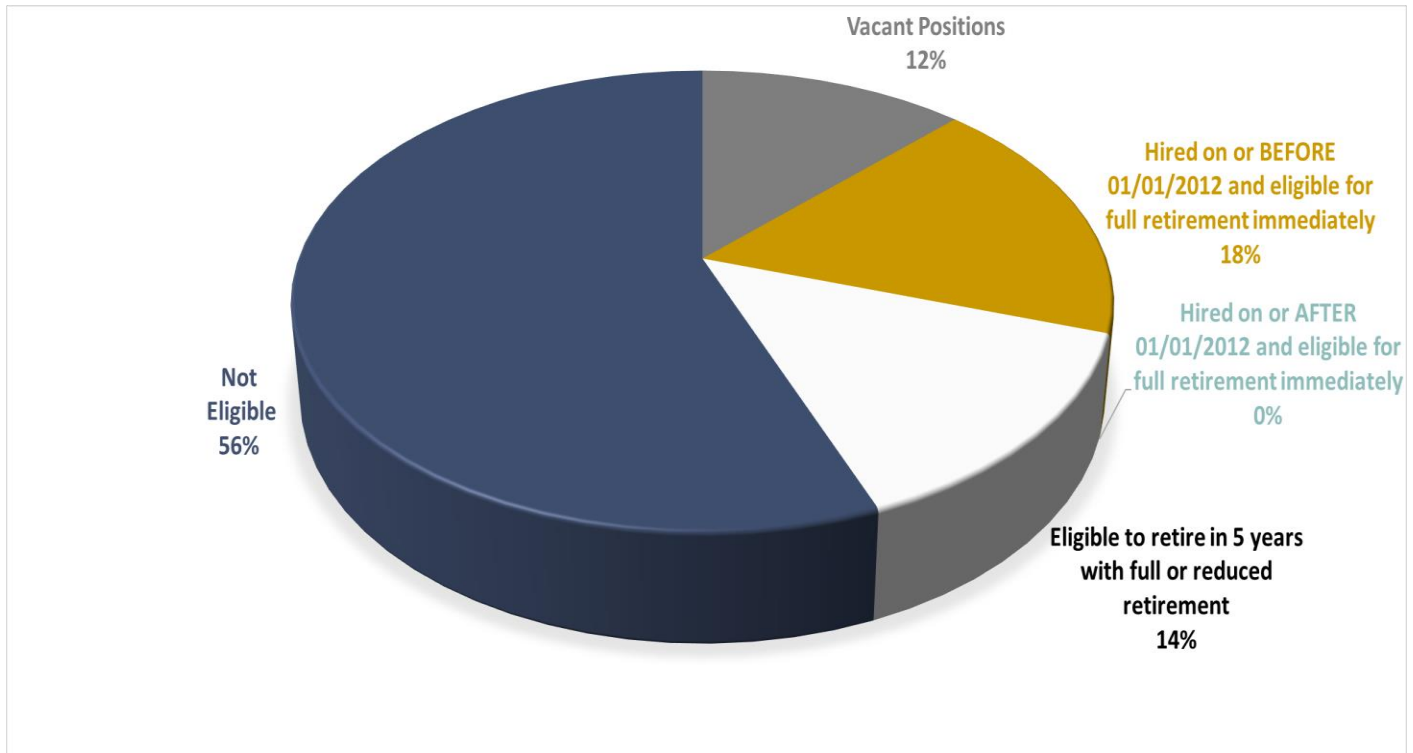
**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

**STATE OF DELAWARE**  
**DEPARTMENT OF AGRICULTURE (DDA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria:** \*\*

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.



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**Table 21 RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

<b>Animal Health</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
10	9	1	2	0	1	6
<b>Administration</b>						
16	13	3	2	0	2	9
<b>Agricultural Compliance</b>						
7	7	0	1	0	0	6
<b>Food Products Inspections</b>						
25	19	6	3	0	4	12
<b>Forest Service</b>						
22	19	3	7	0	3	9
<b>Harness Racing Commission</b>						
7	6	1	4	0	2	0
<b>Nutrient Management</b>						
6	6	0	1	0	0	5
<b>Pesticides</b>						
8	8	0	1	0	1	6
<b>Planning</b>						
4	4	0	1	0	1	2
<b>Plant Industries</b>						
12	12	0	1	0	2	9
<b>Thoroughbred Racing Commission</b>						
7	6	1	0	0	0	6
<b>Lands Preservation</b>						
3	2	1	0	0	0	2
<b>Weights and Measures</b>						
8	7	1	1	0	3	3
<b>Department of Agriculture Totals</b>						
135	118	17	24	0	19	75

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

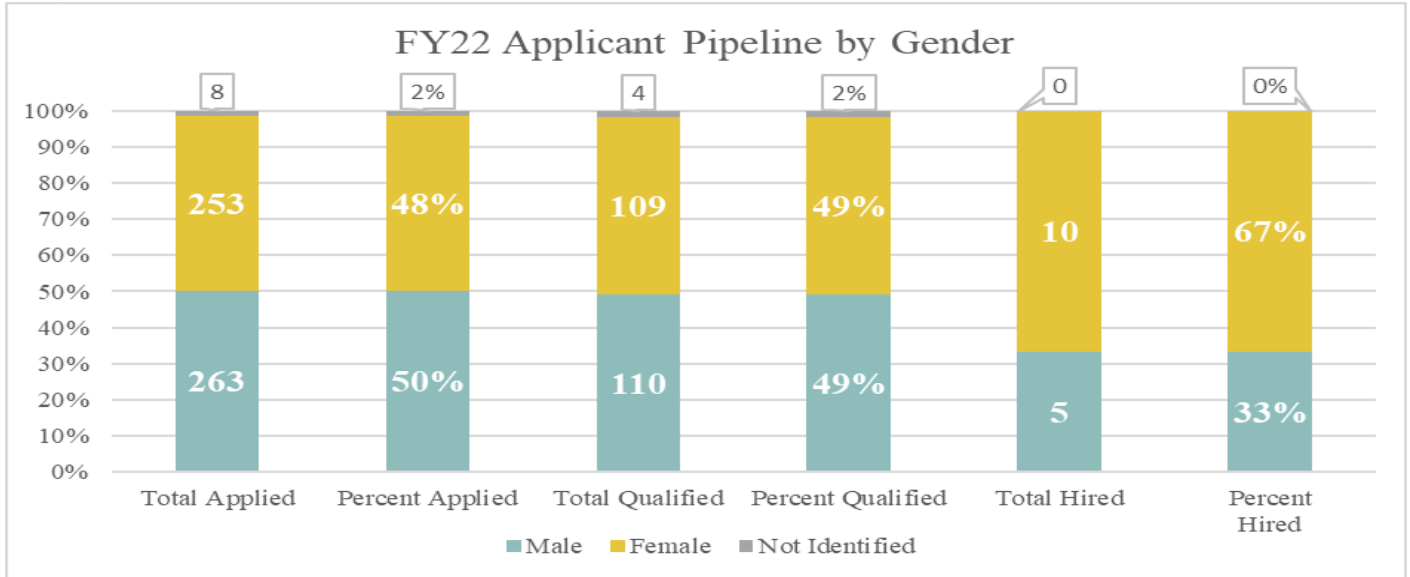
Table 21 data were obtained from the PHRST system as of 06/30/2022.

**STATE OF DELAWARE**  
**DEPARTMENT OF TRANSPORTATION (DELDOT)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

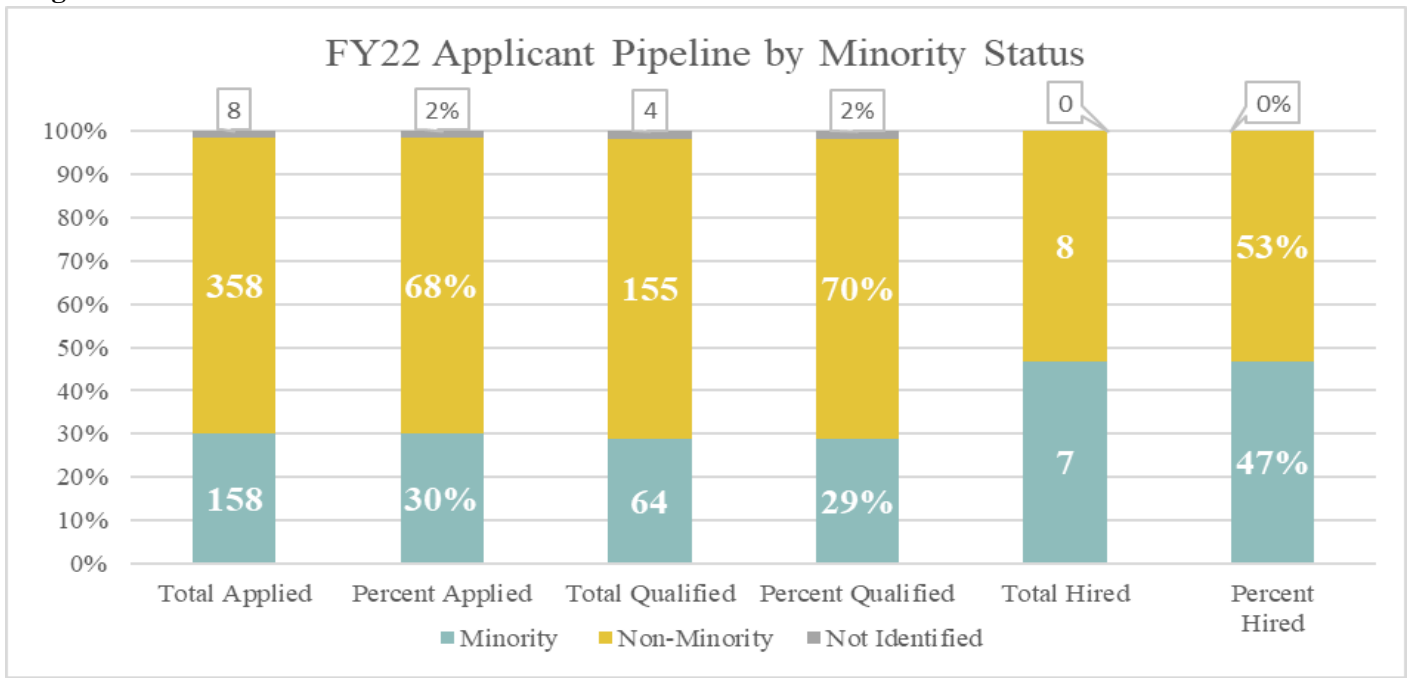
**Applicant Pipeline**

In FY22, 524 people applied online to DDA, a 13% increase from FY21 in which 457 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total number of applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority status and gender. Further illustrated is the number of the total applicants who were found qualified and hired, also by minority status and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

**STATE OF DELAWARE**  
**DEPARTMENT OF AGRICULTURE (DDA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	51	27
FY22	43	24
Change FY21 vs FY22	-8	-3

**Table 25**

Fiscal Year	Average Time Req-to -Open (days)	Average Time Closing Date-to-Referral (days)
FY21	2	13
FY22	2	6
Change FY21 vs FY22	0	-7

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

**STATE OF DELAWARE**  
**DEPARTMENT OF AGRICULTURE (DDA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	No overall workplace environment/climate issues need to be addressed.	Continue a positive work environment with zero complaints, increasing employee satisfaction and retention.	Administration and Managers	None	Ongoing

**STATE OF DELAWARE**  
**DEPARTMENT OF AGRICULTURE (DDA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition. \*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Without a way to retain and transfer knowledge, we experience difficulties training new employees and providing consistent, top-quality service to customers.	Ensure that key knowledge from departing employees is stored and shared with supervisors /managers.  Increase documentation of work functions and tasks for DDA positions.	Managers and Administration	Use of dual incumbency when appropriate.	Ongoing

**STATE OF DELAWARE**  
**DEPARTMENT OF AGRICULTURE (DDA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 2	18% (24 employees) are eligible to retire immediately and about 14% (19 employees) are eligible to retire within the next five years.	Smother transitions through employee retirements.	Managers and Administration	Best practices for planning retirements – particularly for staff who are ‘single resources’ – who do not share duties with others.	Ongoing
SP-2 Goal 3	Work with DHR on methods to increase minority representation in qualified applicant pools.	An increase in minority representation in qualified applicant pools.  DDA hired female and minority candidates more often than they applied during FY22. Further increases would be accomplished by increasing the rate at which they are applying to our positions.	DHR / DDA Administration	DHR Talent Acquisition	Ongoing

**STATE OF DELAWARE**  
**DEPARTMENT OF AGRICULTURE (DDA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Increase awareness of professional development and educational assistance programs among DDA staff with emphasis on advancement for non-professional and lower pay grade staff. The long-term goal is a promotion to underrepresented, professional positions.	Enrollment in state professional development or educational assistance.	Administration	State professional development program information.  DDA tuition reimbursement program.	Jan 2023



Delaware Department of Transportation (DelDOT)

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FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022






STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. BOX 778  
DOVER, DELAWARE 19903

NICOLE MAJESKI  
SECRETARY

**MEMORANDUM**

TO: Claire DeMatteis, Secretary, Department of Human Resources

FROM: Nicole Majeski, Secretary, Department of Transportation 

DATE: 12/13/2022

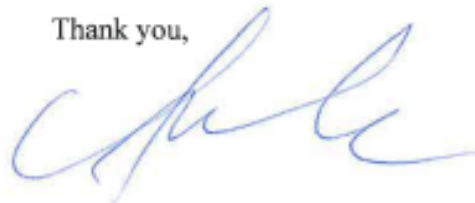
SUBJECT: Department of Transportation FY22 Equal Opportunity Employment/Affirmative Action Report and FY 23 Action Plan

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Attached please find the Department of Transportation's FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.

If you have any questions, please feel free to contact me at 302-760-2303 or [Nicole.Majeski@delaware.gov](mailto:Nicole.Majeski@delaware.gov)

Thank you,

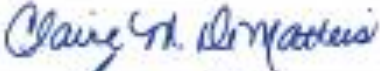


Enclosures

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**STATE OF DELAWARE**  
**DEPARTMENT OF TRANSPORTATION (DELDOT)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY	
DHR-Policy #: To be assigned.	Authority: 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
Effective Date: July 25, 2022.	Supersedes: June 24, 2019, Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
Application: Executive Branch Agencies	Signature: 

**1. Policy Purpose Statement**



The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**STATE OF DELAWARE**  
**DEPARTMENT OF TRANSPORTATION (DELDOT)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

**STATE OF DELAWARE**  
**DEPARTMENT OF TRANSPORTATION (DELDOT)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

**STATE OF DELAWARE**  
**DEPARTMENT OF TRANSPORTATION (DELDOT)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

Respectful Workplace and Anti-Discrimination Policy

Policy #: To be assigned.  
Rev. Date: 7/25/2022

**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> **The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine



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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Employee and Labor Relations
- **Policy Administrator:** Director of the Division of Employee and Labor Relations
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

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DelDOT is committed to maintaining a professional environment with mutual respect for all so that employees can achieve their highest potential and customers receive the best service possible. We believe that everyone's talents and abilities should be represented and utilized to deliver on our mission to provide *excellence in transportation for every trip, every mode, every dollar, and everyone*. Our diverse backgrounds, experiences, and perspectives are our greatest strengths.

Secretary Majeski continually stresses the importance of respect and value among co-workers and members of the public whom our department serves daily. Our staff is held accountable for their adherence to the Standards of Conduct adopted by the State of Delaware in July 2021. In addition, we have Organizational Values for our Department that reflect the culture and environment that employees want to work in, specific to their section. The values are displayed within the main administration building as a reminder to all.

DelDOT created a Leadership Academy, which is an annual program that is made up of diverse employees from every level and every division. The intent of the program is to grow our own leaders and increase employee engagement. Our eighth cohort graduated earlier this year.

In 2017, the Department partnered with the Caesar Rodney School District through the Charlton School to start a Project SEARCH program, designed for students with significant intellectual and developmental disabilities. Students from the Charlton School, all in their last eligible year of high school, intern at DelDOT for the entire school year. The interns transition into different positions throughout the Department every 12 weeks, with the goal for each student to learn skills to participate in competitive employment. In May, the fifth Project Search class graduated, and we will be graduating our sixth class in the spring of 2023. All students from the previous years who graduated from the program were either hired by DelDOT or another company.

The Department has also continued its high school and college summer intern program. This program is mainly geared toward the STEM fields within the Department but has expanded to include students interested in finance, communications, and maintenance-type fields. We use the summer intern program as a recruitment tool and have had success over the last few years with hiring former interns into full-time positions. We have requested to be a pilot where interns can be directly hired at the end of their internship experience.

We reinstated our Employee Engagement survey that asks for ideas on what the Department is doing right and where improvements could be made. We have been holding smaller employee town halls by section to review the survey results and get direct feedback from staff on their opinions and suggestions for transforming DelDOT into a workplace where they would love to work. Several excellent ideas from all over the Department have been proposed and we hope to make progress on many of them in the coming year. We have also been holding a series of monthly virtual employee town halls to keep employees informed and hear their concerns and ideas.

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The Department is developing new relationships with a variety of entities across the state to assist with our recruitment efforts. Equity in transportation is one of the pillars of our work – for our customers, our contractors/consultants, and most importantly our employees. We are committed to making our department more representative of the constituents we serve, and we are continually working to diversify our workforce.

**DEPARTMENT SUMMARY**

Names of Divisions	# of Employees
Office of the Secretary	26
Division of Finance	51
Community Relations	6
Technology and Innovation	15
Planning	57
Maintenance and Operations	625
Transportation Solutions	387
Motor Vehicles	460
<b>TOTALS</b>	<b>1,627</b>

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## **Responsibilities for Implementation**

### **RESPONSIBILITIES STATEMENT**

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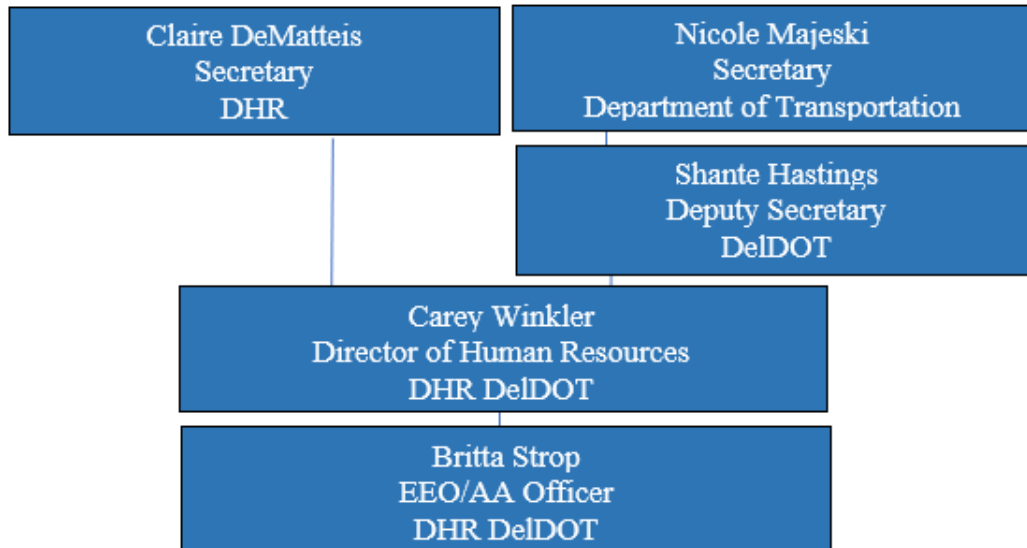
The Secretary of the Department of Transportation oversees the implementation of the Department's Affirmative Action Plan to ensure that it is implemented promptly and effectively. The EEO/AA Officer, Britta Strop, 302-760-2720, [britta.strop@delaware.gov](mailto:britta.strop@delaware.gov) implements the Affirmative Action Plan and ensures that managers comply with federal and state laws, regulations, and executive orders. The Affirmative Action Officer's duties and responsibilities include:

#### **Responsibilities of the EEO/AA Officer:**

- To facilitate the implementation of the EEO/Affirmative Action Plan within the policies established by the Secretary and Division Directors.
- To organize and implement monitoring activities associated with the Affirmative Action Plan.
- To oversee the expeditious adjudication of discrimination complaints as required by the Department's Complaint Procedures.
- To conduct statistical and personnel analyses.
- To conduct monitoring activities of internal compliance programs.
- To review changes in Federal and State Equal Employment Opportunity programs and make recommendations to the Secretary for necessary changes in Department operations.
- To provide Equal Employment Opportunity sensitivity sessions for Department staff.
- To report progress of the Equal Employment Opportunity program to the Secretary annually. The report will focus on progress made and on recommending further action needed to achieve the Department's Affirmative Action Objectives. Emphasis is placed on action(s) that can reasonably be taken to remedy the underutilization of minorities and females in the EEO Categories.
- To coordinate Equal Employment Opportunity activities with the Department's HR Section.
- To keep current of Equal Employment Opportunity laws, policies, and regulations. To be aware and sensitive to the Equal Employment Opportunity needs and be prepared to act accordingly.
- To assist managers and supervisors in carrying out Department Equal Employment Opportunity policies.



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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

**Division of Maintenance & Operations**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Continuing to hire and retain a diverse workforce.	EEO reports provide related feedback.	District Hiring Manager	Work in cooperation with Project Search, Heartwood, colleges, and local high schools.	The Division continues to strive for a diverse workforce while reviewing and acknowledging HR policies on topics such as gender identity, selection interviewing, workplace wellness, and ADA.
SP-1 Goal 2	Fostering a workplace environment where diversity and individuality are valued.	Employee feedback is shared by Committee members during virtual meetings and smaller events at various DelDOT locations across the State. Members monitor how often WGC website is accessed by employees. Weekly newsletters provide helpful information on a variety of topics, such as Pride Month and Black History Month.	Employee Wellness Group	The Wellness Group committee leaders continually create opportunities for employees to share information, educational material, and experiences.	The Committee's efforts are ongoing.

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<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 3	Supporting current workforce inclusiveness by offering quarterly EEO meetings.	Attendance is 100%, consisting of shop stewards, Union members, supervisors, and divisional management. Meetings are scheduled to address EEO-related issues but are often canceled due to no EEO complaints being brought up by employees to supervisors and/or union reps.	District Management and HR	Quarterly EEO meetings are scheduled for the entire Division per District to meet with HR and/or Division Management to address current EEO-related issues.	The meetings continue to be scheduled on a quarterly basis each year.

**Division of Motor Vehicles (DMV)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Promote inclusiveness throughout each work location by highlighting employee achievements and acts of kindness.	Employee survey; staff submitted ideas to be incorporated, such as group activities, lunches, & inspirational videos & quotes, and KM peer awards. Feedback was received from 20 staff. The program resulted in increased employee engagement, compassion, and improved communication among staff.	Kindness Matters Working Group	The Kindness Matters Working Group developed programs, initiatives, weekly outreach, award programs, and contests to foster kindness throughout the Division.	The Kind Matters Working Group continues to provide its services to all divisional employees in support of a more inclusive work environment.

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**Division of Finance**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	To meet the labor market comparable for all EEO categories.	Existing HR EEO data related to the underrepresentation of minority groups. The Division met and exceeded industry standards in all but 3 classifications. These 3 classifications have not been experiencing turnover, resulting in no change in demographics.	Division Management	Division Management regularly discusses the benefits of a diverse workforce with hiring supervisors/managers so they may instill a sense of cultural awareness and inclusivity in staff by demonstrating the advantages of multicultural teams and how they positively impact the division's performance.	The division demonstrates strength in minority representation in several EEO categories; only 3 categories are under-represented, resulting in a total of 5 positions and accounting for less than 10% of the total divisional workforce. The 5 positions have had little to no turnover since FY21, which explains why they remain under-represented.

**Division of Technology and Innovation**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Support of the Project Search program and former Project Search interns	HR hiring data shows that three interns of Project Search have now been permanently hired at Tech & Innovation. Employee feedback to survey in August of this year yielded 91.7% agreement of respondents that diversity and inclusion are promoted and valued.	Division Management	The division conducted an employee survey to gauge employee satisfaction with respect to the division's diversity and inclusion efforts.	91% of the division's workforce agreed that the division promotes and values diversity and inclusion. The division continues to work with Project Search interns to create an inclusive and diverse workforce.

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**Departmentwide Accomplishments:**

- The Training and Education unit oversees the Department’s training and development initiatives to develop its diversified workforce. The unit aids programs such as: tuition reimbursement, attendance at conferences/seminars, diversity/sensitivity training, availability of staff development counseling or planning, special training offerings, etc.
- Despite the pandemic, the department’s Training and Education section continued to provide classroom-based training for new hires and regulatory required topics, as well as a variety of classes through the web or eLearning.
- All new and existing DelDOT employees take the mandated online DHR course “A Respectful Workplace” initially and every two years as a refresher. DelDOT’s “Respect in the Workplace” training program was the foundation on which the DHR training was built and is still offered upon request.
- The department continues to provide the Dominate Influence Steadiness Conscientiousness Personality Profile (DiSC) to work for groups upon request. This course is designed to assist individuals with improving their communication skills to increase personal and team effectiveness.
- The division continues to provide classes and one-on-one coaching in the areas of application completion and interview preparation in an effort to develop its workforce.
- The Training and Education section continues to provide a tailored version of the department’s New Employee Orientation Program and the department’s interviewing training for the Project Search students (John S. Charlton School for young adults with developmental disabilities). In addition, a tailored blended version of Respectful Behavior and Preventing Violence is also provided.
- In an effort to develop strong leaders, the department began mandating Leadership Essentials training for new DelDOT supervisors. Leadership Essentials is part of the State’s iLEAD Delaware Leadership Program and is intended for new, aspiring, or current supervisors. The curriculum consists of 44 self-paced eLearning courses ranging from 10 - 115 minutes in length and covers a wide range of supervisory tasks and skills in the following categories: Building and Leading Teams, Coaching and Developing, Communicating with Impact, Creating Clarity and Focus, Developing Employees, Driving Performance, Motivating and Engaging Others, Self-Awareness, Understanding Others, and Workplace Environment. Leadership Essentials was assigned to supervisors hired or promoted between January 1 and April 18, 2022, with no due date, and to all supervisors hired or promoted on or after April 18, 2022, with a due date of 60 days following the assignment. All other management staff is encouraged to complete the curriculum. In addition, employees are encouraged to participate in the certificate programs offered through the Department of Human Resources (DHR).
- The department continues to provide Selection Interviewing training to ensure that the hiring managers and all individuals who may be part of an interview panel have the most current information. During Fiscal Year 2022, 47 individuals attended the instructor-led training. During this training, the facilitator covers the hiring process in full and provides information on unconscious biases
- The department was successful in securing \$18,750 in Blue Collar Funding and supplemented it in the amount of \$5,250 of department funding for one 30-hour training for Basic Welding; one 30-hour training for Advanced Welding; one 75-hour training for Basic Physical Plant Maintenance; and one 60-hour training for Advanced Physical Plant Maintenance. A total of 40 employees attended. These individuals represented statewide participation.

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

**Division of Maintenance & Operations**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	To ensure managers/supervisors are effectively leading their workforce to promote a cohesive and respectful work environment.	Monitoring employee performance and completed work assignments, as well as, receiving employee feedback.	All Managers, Supervisors, and Work Crew Leads	Ensuring open communication, providing constructive feedback, adopting new ideas, and facilitating process improvements.	This will always be an ongoing approach to increase management and supervisory effectiveness. The Division strives to broaden the skillset of all employees.
SP-2 Goal 2	To improve daily interactions between management/supervisors and employees.	Encourage employee feedback to report on improvements and/or areas of concern.	All division employees.	District Supervisors provide regular discussions referred to as “toolbox talks” to relay necessary information in a team-building setting.	Communication has improved within the Division. Management will continually monitor this initiative to identify potential areas for improvement.

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**Division of Motor Vehicles (DMV)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	To increase management and supervisory leadership skills to ensure a supportive and inclusive work environment where all staff feels welcomed, appreciated, and heard.	Monitoring employee/supervisor interactions. Obtain employee and supervisor/management feedback during staff meetings.	DMV Management	Regular communication with supervisors/managers on hiring practices and labor relations-related matters. Work collaboratively with Union representatives. Improved employee morale through enhanced customer experience. Conduct EAB meetings with staff. Host in-person town halls and provide virtual updates on a variety of topics. Allow for interaction with staff to hear their concerns and suggestions.	The Division continues to hold quarterly meetings to gauge overall employee satisfaction, to keep supervisors and managers abreast of regulatory matters, and to gauge overall employee satisfaction.

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

**Division of Maintenance & Operations (M&O)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	To support and strengthen existing recruitment efforts and place increased emphasis on the retention of our existing workforce.	Future retention and turnover data will determine if recent contract negotiations and associated pay increases have proven successful.	M&O Managers & HR	M&O Management successfully negotiated the CBA agreement. Union salaries now reflect a longevity scale based on years of service in each respective position.	M&O Management and HR will continue to monitor the impact of the negotiated Union salaries.
SP-3 Goal 2	To recruit college students for summer internships.	Several college interns were hired this summer.	North District Senior Management	Attendance at career fairs and visits to local colleges.	M&O successfully hired several college interns this summer, greatly contributing to the department's recruitment strategy.
SP-3 Goal 3	Recruitment of vocational students.	The number of vocational students hired.	North District Senior Management	Attended career fairs at various vocational schools. Worked collaboratively with local school administrators.	M&O successfully hired three vocational students in co-op positions this summer.



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**Division of Motor Vehicles (DMV)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	To provide professional, personal, and leadership development programs to ensure the success of all employees.	Future retention and turnover data will determine if recent contract negotiations and associated pay increases have proven successful.	DMV Management	Implement cross-training opportunities. Create opportunities for Project Search students. Provide in-depth training to frontline staff. Expand the existing recognition program to include national awards.	DMV continuously conducts extensive staff training and coaching sessions. Employee recognition events are held on a daily, monthly, quarterly, and annual basis. Project Search continues its yearly rotations.

**Workforce Management & Employee Services (HR)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	To increase recruitment efforts.	Job Source Reports on JobAps.	Workforce Management/ Employment Services	Increased advertisement, billboard & magazine ads, Meet the People video series, increased social media advertising, and visibility on DelDOT.gov. Provide easier access to current job postings and employment resources. Provision of laptops at career events for applicants' use, increased attendance at career events, and continuous research of new ideas/trends to improve recruitment efforts.	This is an ongoing effort The Division continues to explore new advertising possibilities and outreach opportunities to increase recruitment efforts.

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**Workforce Management & Employee Services (HR)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 2	Expand our talent pool	Hired 17 new interns	Workforce Management & Employment Services	Increased collaboration with local high schools and colleges. On-the-spot job interviews at career fairs. Reestablished partnership with FAME – an organization that prepares under-represented minorities and girls, to enter college and complete a degree in engineering or other stem-related fields of study. Establishing a partnership with DSU’s Department of Agriculture & Natural Resources to recruit potential co-op students in the Environmental Science program. This strategy could help with the recruitment & retention issue currently faced by the environmental section. Exploring job shadowing opportunities for students in work-based learning programs.	This is an ongoing effort. The Division continues to explore new avenues to expand the talent pool.
SP-3 Goal 3	Propose establishment of blanket salary for the Environmental Specialist Classification	TBD	Workforce Management & Employment Services	Research on salary trends in surrounding states. An extensive review of the high turnover rates in the classification. Submission of proposed blanket salary.	Pending

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**Office of Civil Rights**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	To host the National Summer Transportation Institute (NSTI).	Program participation data	Office of Civil Rights	Partnered with Delaware State University (DSU) to host NSTI, a four-week, non-residential summer program targeting Delaware high school students. The NSTI is designed to create awareness and stimulate the interest of minority and female students in careers in the transportation industry. The focus is on experimental learning through a combination of field trips, supportive classroom research activities, and presentations of practicing professionals.	In 2022 the Department hosted two programs, one at DSU and one at the University of Maryland Eastern Shore (UMES) which targeted Sussex County students.

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**SECTION IV: WORKFORCE ANALYSIS**

**DelDOT Workforce Analysis Overview:**

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The Department of Transportation (DelDOT) is underrepresented in six EEO-4 categories. DelDOT has 1,627 employees and minorities represent 23% of the DelDOT workforce. The agency posted 554 jobs in FY22, with 56% of their talent pipeline being white and 52% being female. DelDOT hired 106 females and 60 Minority candidates.

Below are observable trends that affect DelDOT's opportunity to increase diversity in its workforce:

- Engineering positions are hard to fill due to a competitive job market and high wages in the private sector. DelDOT has continued to offer Recruitment incentives for the Engineer series.
- DelDOT has fostered working relationships with local high and technical schools throughout the state to promote internships and increase recruitment efforts for the following unrepresented EEO categories: Technicians and Skilled Craft.
- DelDOT has maintained a successful annual Summer Engineer Internship program which provides engineering students, who have completed their first year in a bachelor's program in Civil or Construction Engineering, with training to accompany their classroom knowledge.
- DelDOT has been a role model in hiring people with disabilities through the Project Search Program and had five successful graduating classes.
- DelDOT has added the Leadership Essentials training series as a mandatory requirement for all new supervisors to foster and strengthen relationships between supervisors and their teams.
- DelDOT is exploring opportunities to develop a Workforce Development Academy (WDA) within its Office of Civil Rights which will provide talent development, training, and assistance to increase the hiring and retention of women, minorities, and disadvantaged individuals in the highway construction industry.

In summary, DelDOT is very proactive in its outreach by frequently attending events and advertising its jobs. They also have been very successful in hiring people with disabilities thanks to their Project Search Program. Competition is very high in stem and trades positions, which makes it difficult to attract diverse candidates to these positions. Further, wages are a key factor, especially when weighing against the private job market.

Still, DelDOT is underrepresented in six EEO-4 categories. Providing increased resources to educate hiring managers on diversity hiring and respectful workplace policies may improve employee retention. Partnering with Delaware State University and the High School Pathways programs to offer internship/job shadowing opportunities could help to expose students to their work.

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## **DelDOT Demographics at a Glance:**

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The total number of DelDOT employees as of June 30, 2022, by EEO-4 category is 1,627.

The DelDOT EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DOT workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DelDOT workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender.

The following summary of findings were derived from this data:

### **Minority Representation:**

- Minorities represent 23% of the total DelDOT workforce, the same as in FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Officials and Administrators (-10%)
  - Professionals (-7%)
  - Technicians (-27%)
  - Office & Clerical (-2%)
  - Skilled Craft (-10%)
  - Service Maintenance (-37%)

### **Female Representation:**

- Females represent 33% of the total DelDOT workforce, a 1% increase from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-1%)
  - Professionals (-16%)
  - Technicians (-41%)
  - Para-Professional (-14%)
  - Skilled Craft (-4%)
  - Service Maintenance (-31%)

### **Male Representation:**

- Males represent 67% of the DelDOT workforce, a 1% decrease from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Protective Services (-21%)
  - Office & Clerical (-16%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	27	2	0	0	0	0	1	30	56%	0	19	2	1	2	0	0	0	24	44%	0	54	8	15%
2 Professionals	148	16	10	8	1	1	2	186	58%	5	103	13	5	13	0	1	1	136	42%	4	322	71	22%
3 Technicians	207	14	4	2	0	1	3	231	91%	6	20	0	0	0	0	1	2	23	9%	0	254	27	11%
4 Protective Services	3	3	0	0	0	0	0	6	60%	0	2	1	0	0	0	0	1	4	40%	0	10	5	50%
5 Para Professional	66	34	10	1	0	1	3	115	38%	7	113	51	17	4	0	0	6	191	62%	4	306	127	42%
6 Office & Clerical	23	7	4	1	0	0	1	36	19%	2	108	32	5	1	0	1	2	149	81%	7	185	54	29%
7 Skilled Craft	392	34	24	3	0	5	6	464	98%	6	6	0	2	0	0	0	0	8	2%	0	472	74	16%
8 Service Maintenance	19	2	0	0	0	0	0	21	88%	0	3	0	0	0	0	0	0	3	13%	0	24	2	8%
<b>Totals</b>	<b>885</b>	<b>112</b>	<b>52</b>	<b>15</b>	<b>1</b>	<b>8</b>	<b>16</b>	<b>1089</b>	<b>67%</b>	<b>26</b>	<b>374</b>	<b>99</b>	<b>30</b>	<b>20</b>	<b>0</b>	<b>3</b>	<b>12</b>	<b>538</b>	<b>33%</b>	<b>15</b>	<b>1627</b>	<b>368</b>	<b>23%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

Table 1 data were obtained from the PHRST system as of 06/30/2022.

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	15%	-10%	7%	2%	4%	0%	0%	2%
2 Professionals	29%	22%	-7%	9%	5%	7%	0%	1%	1%
3 Technicians	38%	11%	-27%	6%	2%	1%	0%	1%	2%
4 Protective Services	37%	50%	13%	40%	0%	0%	0%	0%	10%
5 Para Professional	34%	42%	8%	28%	9%	2%	0%	0%	3%
6 Office & Clerical	31%	29%	-2%	21%	5%	1%	0%	1%	2%
7 Skilled Craft	26%	16%	-10%	7%	6%	1%	0%	1%	1%
8 Service Maintenance	45%	8%	-37%	8%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	44%	-1%	35%	4%	2%	4%	0%	0%	0%
2 Professionals	59%	42%	-16%	32%	4%	2%	4%	0%	0%	0%
3 Technicians	50%	9%	-41%	8%	0%	0%	0%	0%	0%	1%
4 Protective Services	19%	40%	21%	20%	10%	0%	0%	0%	0%	10%
5 Para Professional	77%	62%	-14%	37%	17%	6%	1%	0%	0%	2%
6 Office & Clerical	65%	81%	16%	58%	17%	3%	1%	0%	1%	1%
7 Skilled Craft	6%	2%	-4%	1%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	13%	-31%	13%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	56%	1%	50%	4%	0%	0%	0%	0%	2%
2 Professionals	41%	58%	16%	46%	5%	3%	2%	0%	0%	1%
3 Technicians	50%	91%	41%	81%	6%	2%	1%	0%	0%	1%
4 Protective Services	81%	60%	-21%	30%	30%	0%	0%	0%	0%	0%
5 Para Professional	23%	38%	14%	22%	11%	3%	0%	0%	0%	1%
6 Office & Clerical	35%	19%	-16%	12%	4%	2%	1%	0%	0%	1%
7 Skilled Craft	94%	98%	4%	83%	7%	5%	1%	0%	1%	1%
8 Service Maintenance	56%	88%	31%	79%	8%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and agency demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	-1%	-6%	-10%
2 Professionals	-2%	-8%	-7%
3 Technicians	-13%	-24%	-27%
4 Protective Services	-7%	-12%	13%
5 Paraprofessional	8%	7%	8%
6 Office & Clerical	1%	0%	-2%
7 Skilled Craft	-7%	-10%	-10%
8 Service Maintenance	-26%	-34%	-37%

**Female Representation Trends FY20, 21, 22**

**Table 6**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	-4%	-1%	-1%
2 Professionals	-16%	-16%	-16%
3 Technicians	-45%	-41%	-41%
4 Protective Services	6%	6%	21%
5 Paraprofessional	-21%	-14%	-14%
6 Office & Clerical	19%	17%	16%
7 Skilled Craft	-3%	-5%	-4%
8 Service Maintenance	-32%	-32%	-31%

**Male Representation Trends FY20, 21, 22**

**Table 7**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	4%	1%	1%
2 Professionals	16%	16%	16%
3 Technicians	45%	41%	41%
4 Protective Services	-6%	-6%	-21%
5 Paraprofessional	21%	14%	14%
6 Office & Clerical	-19%	-17%	-16%
7 Skilled Craft	3%	5%	4%
8 Service Maintenance	32%	32%	31%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022.*



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**SECTION V: COMPLAINTS**

Table 8

<b>Total Complaints by Gender as of 06/30/2022</b>		<b>Total Complaints by Type as of 06/30/2022</b>	
Male	12	ADA	0
Woman	8	Discrimination	1
Other	0	Gender	0
<b>Total</b>	<b>20</b>	Generic Issue	4
<b>Total Complaints by Race/Ethnicity as of 06/30/2022</b>		Harassment	7
Black - African American	6	Hostile Work Environment	4
Asian	2	Merit Rule	0
Hispanic/Latinx	0	Misconduct	4
Native American/Alaskan Native	0	Retaliation	0
Not identified	0	Sexual Harassment	0
Pacific Islander/Native Hawaiian	0	Workplace Violence	0
Two or more races	1	<b>Total</b>	<b>20</b>
White	11	<b>Total Complaints by Current Status as of 06/30/2022</b>	
<b>Total</b>	<b>20</b>	Open	8
<b>Total Complaints by Employment Status as of 06/30/2022</b>		Closed	12
Merit	18	<b>Total</b>	<b>20</b>
Non-Merit Exempt	0	<b>Total Complaints by Resolution as of 06/30/2022</b>	
Casual/Seasonal	2	To be Determined	8
Temp/Contract	0	Substantiated	5
<b>Total</b>	<b>20</b>	Unsubstantiated	7
<b>Total Complaints by Category as of 06/30/2022</b>		<b>Total</b>	<b>20</b>
Informal	13		
Formal	6		
External	1		
<b>Total</b>	<b>20</b>		

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

Table 8 data were obtained from agency internal records during FY22.

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

<b>FY 21-22 EEO REPORT KEY OBSERVATIONS</b>					
<b>TYPE</b>	<b>2021</b>		<b>2022</b>		<b>PERCENT CHANGE</b>
	<b>Total</b>	<b>Percent</b>	<b>Total</b>	<b>Percent</b>	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	58	24%	40	18%	-31%
Total Female Minority Disciplines	46	19%	38	17%	-17%
Total Male Non-Minority Disciplines	94	39%	102	46%	9%
Total Male Minority Disciplines	42	18%	42	19%	0%
<b>Total Disciplines</b>	<b>240</b>	<b>100%</b>	<b>222</b>	<b>100%</b>	<b>-8%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	11	15%	37	17%	70%
Total Female Minority Separations	7	9%	25	12%	72%
Total Male Non-Minority Separations	38	51%	114	54%	67%
Total Male Minority Separations	18	24%	36	17%	50%
<b>Total Separations</b>	<b>74</b>	<b>100%</b>	<b>212</b>	<b>100%</b>	<b>65%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	20	12%	84	29%	76%
Total Female Minority New Hires	15	9%	47	16%	68%
Total Male Non-Minority New Hires	74	45%	114	39%	35%
Total Male Minority New Hires	57	34%	46	16%	-19%
<b>Total New Hires</b>	<b>166</b>	<b>100%</b>	<b>291</b>	<b>100%</b>	<b>75%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	50	19%	55	18%	9%
Total Female Minority Promotions	21	8%	30	10%	43%
Total Male Non-Minority Promotions	163	61%	176	58%	7%
Total Male Minority Promotions	33	12%	40	13%	18%
<b>Total Promotions</b>	<b>267</b>	<b>100%</b>	<b>301</b>	<b>100%</b>	<b>11%</b>

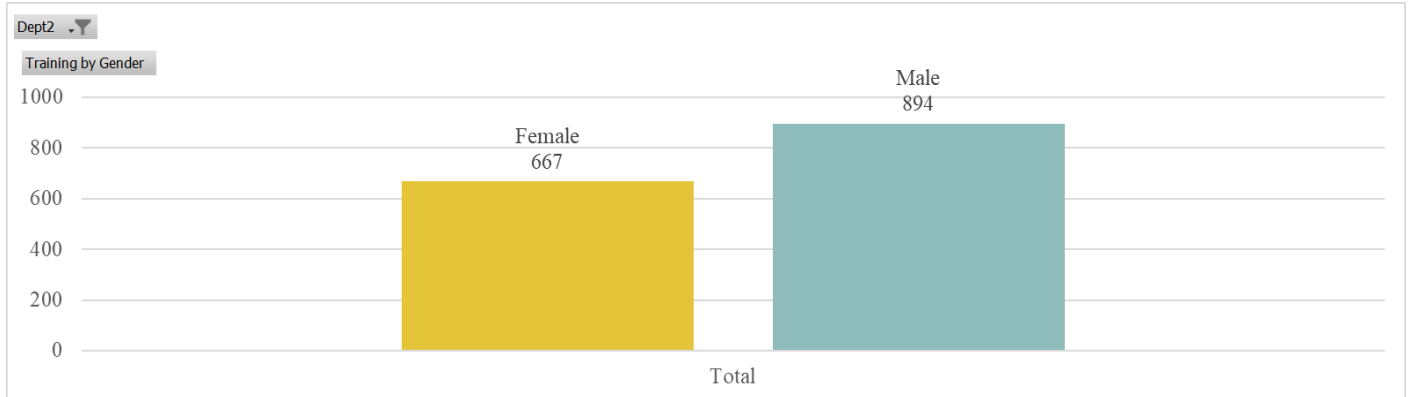
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

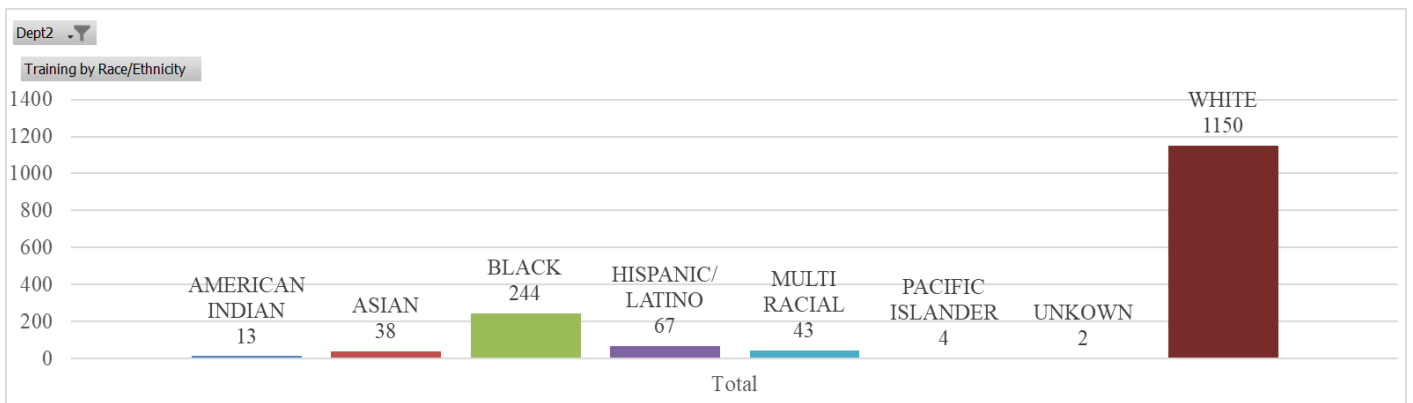
**STATE OF DELAWARE**  
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**SECTION VII: EMPLOYEE ENGAGEMENT**

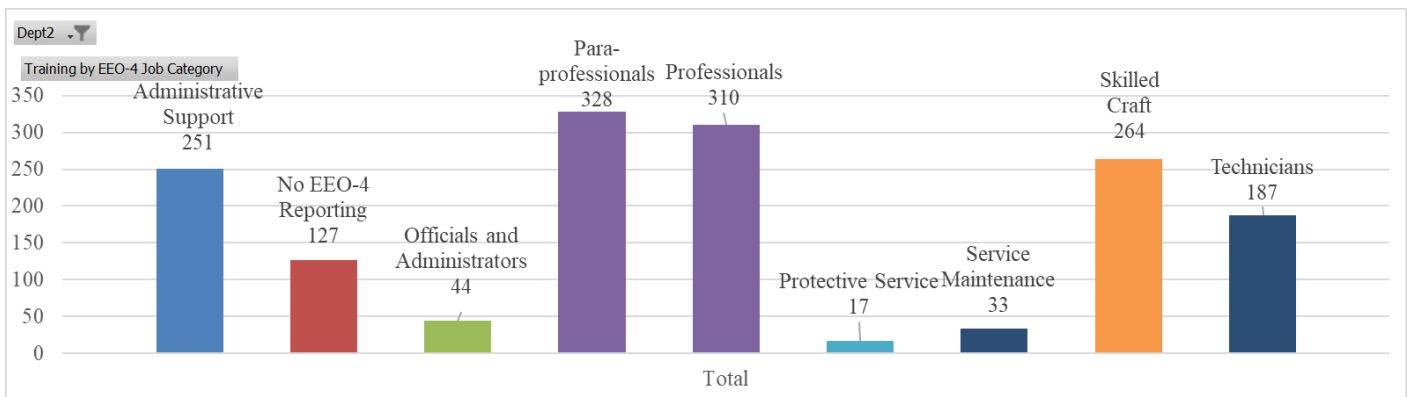
**Figure 10 Training by Gender**



**Figure 11 Training by Race/Ethnicity**



**Figure 12 Training by EEO-4 Job Category**



Figures 10-12 display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category.

Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022 .

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**Table 13**

TUITION REIMBURSEMENT SUMMARY	
	Number
Total Non-Minority Female	5
Total Minority Female	2
Total Non-Minority Male	6
Total Minority Male	5
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>18</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

DISABILITIES SUMMARY	
	Number
Total Employees Self-Identified or Disclosed Disabled	41
Total Requests for Accommodations	21
Total Requests Accommodated	15
Total Selective Placement Candidates Interviewed	2
Total Selective Placement Candidates Hired	1

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement.

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

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**Table 15**

EXIT SURVEY SUMMARY						
	EXCELLENT	GOOD	AVERAGE	BELOW	POOR	TOTAL
Agency as a place to work	28%	32%	22%	10%	9%	100%
	23	26	18	8	7	82
Opportunity for advancement or promotion	19%	14%	24%	19%	25%	100%
	15	11	19	15	20	80
Recognition of accomplishments/contributions	22%	22%	23%	20%	12%	100%
	18	18	19	16	10	81
Relationships with co-workers	54%	27%	11%	3%	5%	100%
	43	21	9	2	4	79
Relationship with your manager/supervisor	50%	21%	18%	5%	6%	100%
	41	17	15	4	5	82
Agency commitment to quality and customer service	41%	24%	28%	4%	4%	100%
	33	19	22	3	3	80
Work area tools available to perform the functions of your job	39%	25%	23%	10%	3%	100%
	31	20	18	8	2	79
Performance goals were clear and you knew what was expected of you in your job	40%	22%	21%	12%	5%	100%
	31	17	16	9	4	77
Training and development needs were assessed and met	31%	23%	19%	21%	6%	100%
	25	18	15	17	5	80
Benefits package	44%	30%	19%	3%	4%	100%
	31	21	13	2	3	70
Compensation	15%	15%	28%	17%	25%	100%
	11	11	21	13	19	75
Family-Friendly Workplace	34%	31%	9%	13%	13%	100%
	11	10	3	4	4	32

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses from an online survey during FY22.*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
1	2	MCCD01	Assistant Area Supervisor	14	7%	14%	50%
1	0	MFBC09	Assistant Director Transportation Engineering	2	50%	0%	-100%
0	0	MCCB01	Automotive Supervisor I	2	0%	0%	0%
0	0	MCCB02	Automotive Supervisor II	5	0%	0%	0%
0	2	MFBC01	Engineer I	2	0%	100%	100%
1	1	MGBF02	Engineer II	17	6%	6%	0%
1	4	MFBC03	Engineer III	32	3%	13%	75%
1	6	MFBC04	Engineer IV	22	5%	27%	83%
1	1	MFBC05	Engineer V	13	8%	8%	0%
8	10	MFBC07	Engineer Program Manager I	49	16%	20%	20%
1	2	MFBC08	Engineer Program Manager II	30	3%	7%	50%
1	8	MFBA01	Engineering Technician I	21	5%	38%	88%
3	8	MFBA02	Engineering Technician II	28	11%	29%	63%
6	12	MFBA03	Engineering Technician III	89	7%	13%	50%
3	3	MFBA04	Engineering Technician IV	76	4%	4%	0%
0	2	MFBA05	Engineering Technician V	43	0%	5%	100%
0	0	MCCA21	Equipment Mechanic I	4	0%	0%	0%
1	2	MCCA22	Equipment Mechanic II	8	13%	25%	50%
3	4	MCCA23	Equipment Mechanic III	14	21%	29%	25%
2	6	MCCA24	Equipment Mechanic IV	38	5%	16%	67%
4	8	MCCC01	Equipment Operator I	35	11%	23%	50%
2	12	MCCC02	Equipment Operator II	51	4%	24%	83%
9	17	MCCC03	Equipment Operator III	193	5%	9%	47%
4	10	MCCC04	Equipment Operator IV	85	5%	12%	60%
0	0	MCCD02	Maintenance Area Supervisor I	18	0%	0%	0%
0	0	MCCD03	Maintenance Area Supervisor II	4	0%	0%	0%
1	0	MCCZ27	Master Electrician	2	50%	0%	-100%
0	2	MCCK02	Phys Plant Maint. Trades Mech I	8	0%	25%	100%
4	0	MCCK09	Phys. Plant Maint. Trades Tech	4	100%	0%	-400%
0	0	MFEA06	Planning Supervisor	4	0%	0%	0%
0	0	MADA04	Senior Application Support Specialist	2	0%	0%	0%
4	6	MCCM02	Traffic Sign Installer Specialist	16	25%	38%	33%

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**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MCCD01	Assistant Area Supervisor	5	62	12	55	11
MFBC09	Assistant Director Transportation Engineering	1	9	9	5	5
MCCB01	Automotive Supervisor I	1	11	11	10	10
MCCB02	Automotive Supervisor II	2	24	12	13	7
MFBC01	Engineer I	10	60	6	26	3
MGBF02	Engineer II	5	18	4	9	2
MFBC03	Engineer III	4	11	3	4	1
MFBC04	Engineer IV	3	7	2	2	1
MFBC05	Engineer V	4	13	3	2	1
MFBC07	Engineer Program Manager I	15	39	3	14	1
MFBC08	Engineer Program Manager II	10	52	5	10	1
MFBA01	Engineering Technician I	30	128	4	60	2
MFBA02	Engineering Technician II	25	71	3	29	1
MFBA03	Engineering Technician III	14	36	3	18	1
MFBA04	Engineering Technician IV	10	44	4	13	1
MFBA05	Engineering Technician V	N/A				
MCCA21	Equipment Mechanic I	7	39	6	12	2
MCCA22	Equipment Mechanic II	7	31	4	5	1
MCCA23	Equipment Mechanic III	2	7	4	0	0
MCCA24	Equipment Mechanic IV	N/A				
MCCC01	Equipment Operator I	34	259	8	171	5
MCCC02	Equipment Operator II	8	23	3	5	1
MCCC03	Equipment Operator III	N/A				
MCCC04	Equipment Operator IV	N/A				
MCCD02	Maintenance Area Supervisor I	3	36	12	20	7
MCCD03	Maintenance Area Supervisor II	N/A				
MCCZ27	Master Electrician	N/A				
MCCK02	Phys Plant Maint. Trades Mech I	7	25	4	20	3
MCCK09	Phys. Plant Maint. Trades Tech	3	6	2	4	1
MFEA06	Planning Supervisor	1	13	13	9	9
MADA04	Senior Application Support Specialist	N/A				
MCCM02	Traffic Sign Installer Specialist	11	52	5	27	2

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 18**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
550101001	DOT/Office of the Secretary	0%	11%	11%
550101003	DOT/Office of the Secretary	11%	12%	1%
550101004	DOT/Office of the Secretary	11%	13%	2%
550102002	DOT/Secty/ Finance	15%	3%	-12%
550102004	DOT/Secty/ Finance	12%	0%	-12%
550102006	DOT/Secty/ Finance	14%	0%	-14%
550103003	DOT/Secty/Community Relatio	46%	17%	-29%
550201001	DOT/Technology and Innovati	0%	0%	0%
550301001	DOT/Planning	2%	4%	2%
550301003	DOT/Planning/TFC	0%	0%	0%
550470075	DOT/M&O/Statewide Supp TFO	7%	7%	0%
550470076	DOT/Maint&Oper/North Distr	9%	19%	10%
550470077	DOT/Maint&Oper/Canal Dist T	5%	18%	13%
550470078	DOT/Maint&Oper/Centr Distr	11%	11%	0%
550470079	DOT/Maint&Oper/South Distr	12%	19%	7%
550470701	DOT/Maint&Oper/Headquarter/	0%	18%	18%
550470753	DOT/M&O/Statewide Supp TFC	0%	0%	0%
550470763	DOT/Maint&Oper/NorthDist/TF	40%	0%	-40%
550470773	DOT/Maint&Oper/Canal Dist T	0%	11%	11%
550470783	DOT/Maint&Oper/Centr Distr	0%	0%	0%
550470784	DOT/M&Oper/SmyrnaRestArea/T	0%	0%	0%
550470793	DOT/Maint&Oper/South Distr	11%	0%	-11%
550701001	DOT/US 301 Maint Operations	12%	62%	50%
550830011	DOT/Project Teams	6%	6%	0%
550830013	DOT/Project Teams	2%	6%	4%
550830014	DOT/Project Teams	0%	0%	0%
550830020	DOT/Project Teams	0%	33%	33%
550830023	DOT/Project Teams	11%	0%	-11%
550830025	DOT/Project Teams	0%	0%	0%
550830030	DOT/Project Teams	11%	25%	14%
550830032	DOT/Project Teams	16%	16%	0%
550830034	DOT/Project Teams	14%	14%	0%
550830035	DOT/Project Teams	9%	7%	-2%
550830036	DOT/Project Teams	0%	23%	23%
550830037	DOT/Project Teams	4%	4%	0%
550830100	DOT/Project Teams	0%	0%	0%
550840040	DOT/TransSol/Traffic	12%	14%	2%
551110010	DOT/Motor Vehicles/Administ	12%	13%	1%
551160901	DOT/MotorVeh/Toll Admin/TFO	0%	0%	0%
551160911	DOT/MotorVeh/TollOp Newark/	14%	16%	2%
551160921	DOT/MotorVeh/TollOps Dover/	0%	7%	7%
551160941	DOT/MotorVeh/TollOpsBiddle/	11%	4%	-7%
<b>Department Average</b>		<b>8%</b>	<b>10%</b>	<b>2%</b>



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**Table 19**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MCCD01	Assistant Area Supervisor	0%	32%	32%
MFBC09	Assistant Director Transportation Engineering	67%	14%	-53%
MCCB01	Automotive Supervisor I	25%	0%	-25%
MCCB02	Automotive Supervisor II	14%	20%	6%
MFBC01	Engineer I	7%	0%	-7%
MGBF02	Engineer II	6%	0%	-6%
MFBC03	Engineer III	0%	7%	7%
MFBC04	Engineer IV	0%	13%	13%
MFBC05	Engineer V	0%	0%	0%
MFBC07	Engineer Program Manager I	8%	2%	-6%
MFBC08	Engineer Program Manager II	11%	11%	0%
MFBA01	Engineering Technician I	7%	25%	18%
MFBA02	Engineering Technician II	6%	24%	18%
MFBA03	Engineering Technician III	0%	3%	3%
MFBA04	Engineering Technician IV	0%	0%	0%
MFBA05	Engineering Technician V	0%	0%	0%
MCCA21	Equipment Mechanic I	40%	0%	-40%
MCCA22	Equipment Mechanic II	0%	0%	0%
MCCA23	Equipment Mechanic III	43%	0%	-43%
MCCA24	Equipment Mechanic IV	17%	0%	-17%
MCCC01	Equipment Operator I	6%	28%	22%
MCCC02	Equipment Operator II	3%	30%	27%
MCCC03	Equipment Operator III	9%	14%	5%
MCCC04	Equipment Operator IV	0%	8%	8%
MCCD02	Maintenance Area Supervisor I	7%	6%	-1%
MCCD03	Maintenance Area Supervisor II	0%	0%	0%
MCCZ27	Master Electrician	9%	0%	-9%
MCCK02	Phys Plant Maint. Trades Mech I	10%	11%	1%
MCCK09	Phys. Plant Maint. Trades Tech	0%	0%	0%
MFEA06	Planning Supervisor	4%	0%	-4%
MADA04	Senior Application Support Specialist	0%	0%	0%
MCCM02	Traffic Sign Installer Specialist	0%	50%	50%

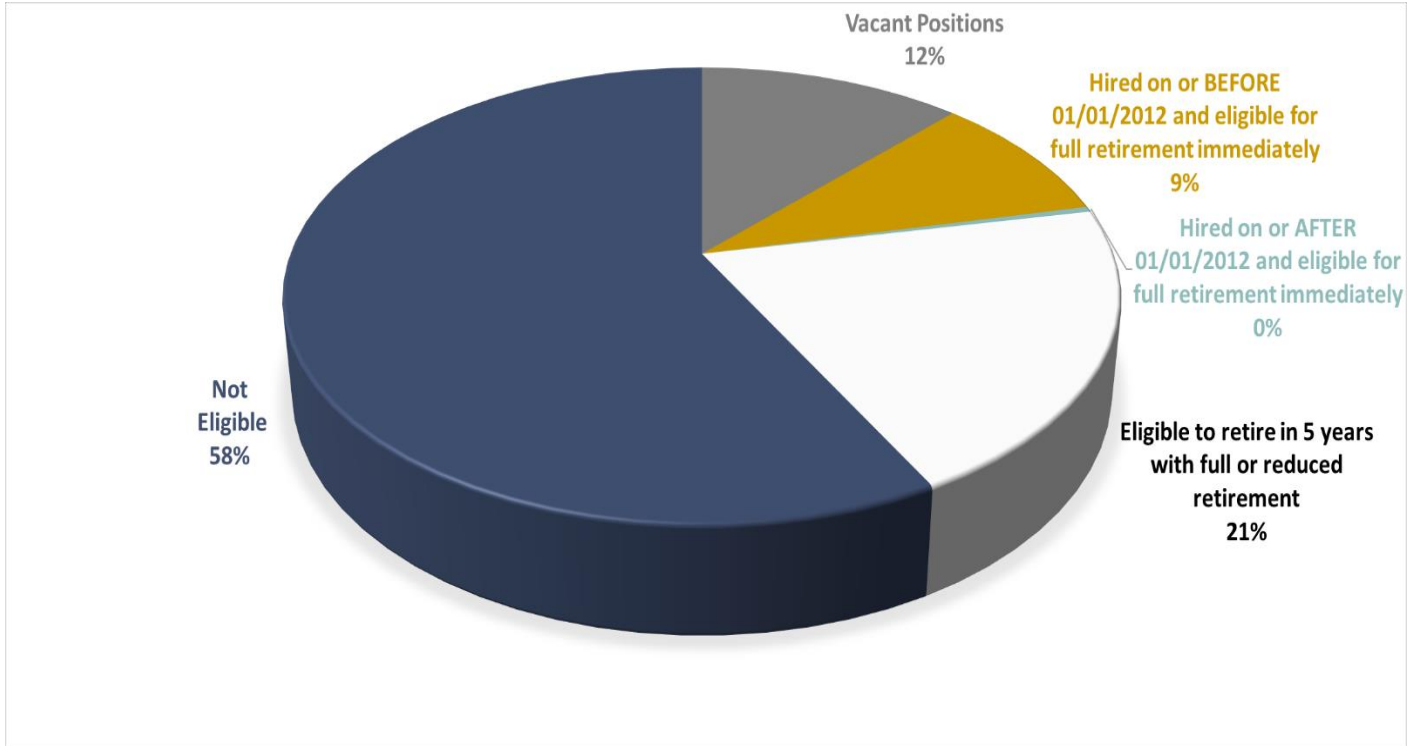
**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Maintenance Operations</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
721	625	96	58	2	155	410
<b>Motor Vehicles</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
517	460	57	41	3	83	333
<b>Office of the Secretary</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
33	26	7	4	0	5	17
<b>Planning</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
60	57	3	6	0	18	33
<b>Project Teams</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
311	274	37	31	0	73	170
<b>Finance</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
56	51	5	6	1	15	29
<b>Community Relations</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
7	6	1	0	0	1	5
<b>Technology and Innovation</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
15	15	0	5	0	2	8
<b>Transportation Solutions</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
132	113	19	21	1	26	65
<b>Department of Transportation Totals</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
1852	1627	225	172	7	378	1070

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

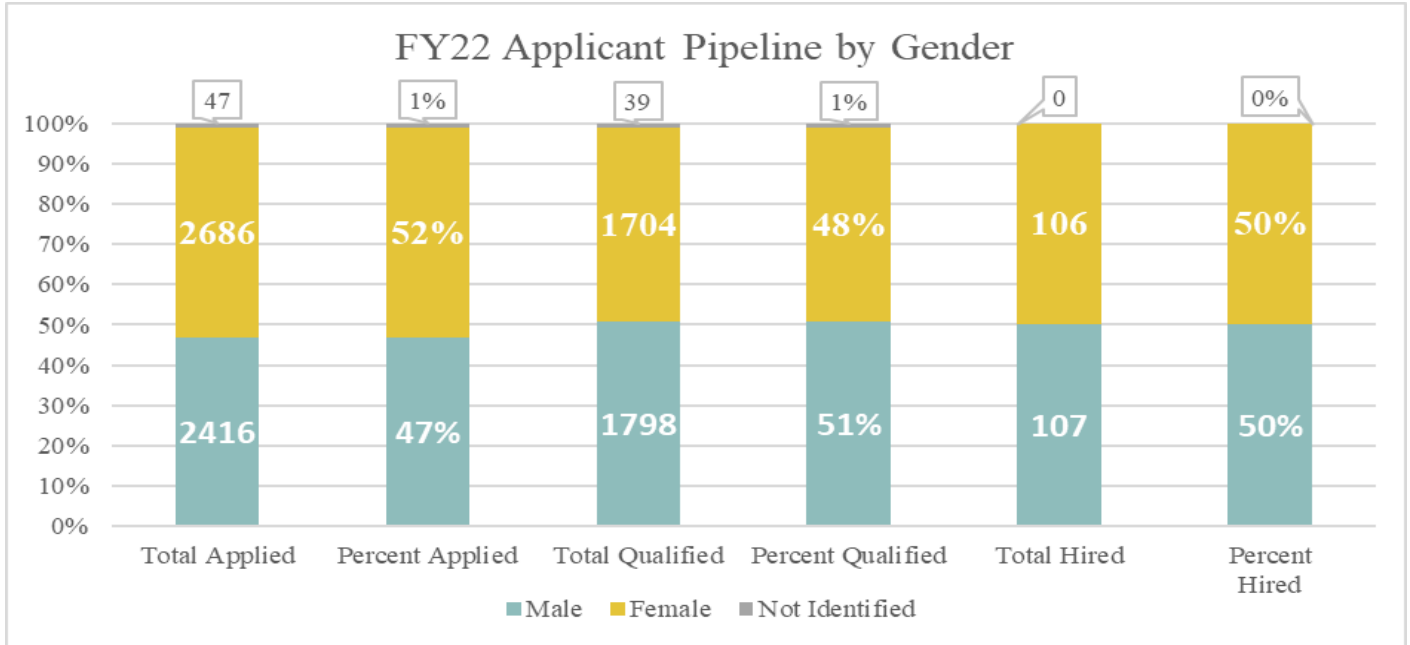
Table 21 data were obtained from the PHRST system as of 06/30/2022.

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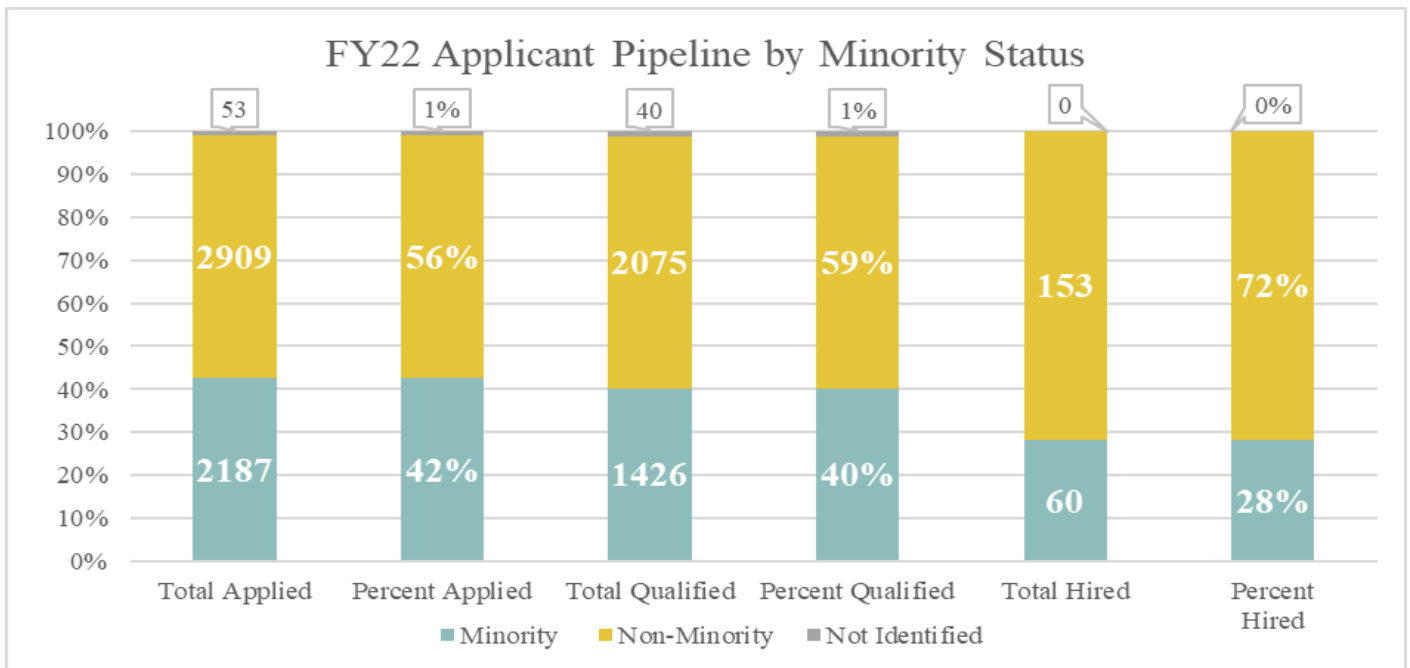
**Applicant Pipeline**

In FY22, 5,149 people applied online to DelDOT jobs, a 26% decrease from FY21 in which 6,935 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority status and gender. Further illustrated is the total number of applicants who were found qualified and hired, also by minority status and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	55	40
FY22	60	41
Change FY21 vs FY22	5	1

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	3	3
FY22	4	2
Change FY21 vs FY22	1	-1

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time the referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from when they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

**Division of Maintenance & Operations (M&O)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	To maintain a workplace environment focused on equal opportunity and inclusion.	Employee feedback and discussions.	Division Management and Supervisors	M&O will continue to emphasize teamwork and reaching common goals.	This is an ongoing process.
SP-1 Goal 2	The continued recruitment/retention of qualified employees.	Turnover/retention rates.	M&O and HR Management	M&O Management will continue to work with HR to process RTFs efficiently and streamline the hiring process.	This is an ongoing process.
SP-1 Goal 3	Improvement of employee morale.	Employee engagement and feedback.	M&O Business Management	M&O holds an annual truck rodeo where district employees compete for the opportunity to attend the national rodeo in Colorado.	July 2022

**Division of Motor Vehicles (DMV)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Create an opportunity to recognize staff for their accomplishments. Showcase their successes in DMV lobbies. Create DMV All-Stars.	Performance evaluations, customer- and peer recognition.	DMVs Management and the Kindness Matters working group	DMV Management will continue its extensive recognition program.	Fall 2022

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**Division of Finance**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Strengthen the Division's overall workplace culture while focusing on divisional priorities.	Employee feedback and discussions.	Division Management and Supervisors	The Finance Division regularly meets with managers and supervisors and continued to emphasize the importance of teamwork, collaboration, and accomplishing common goals.	This is an ongoing process.

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition. \*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

**Division of Maintenance & Operations (M&O)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Train supervisors in leadership, diversity & discipline.	Improved management skills for supervisors.	M&O and Training & Education	Training & Education will hold supervisory training classes for North District supervisors.	Completed 9/8/2022

**Division of Finance**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Further, develop supervisory/management skillsets to encourage a diverse and inclusive work environment.	Employee feedback and discussions.	Division Management and Supervisors	The Finance Division regularly meets with managers and supervisors and will continue emphasizing the importance of teamwork, collaboration, and accomplishing common goals. The management team also incorporates training in the monthly meetings specific to leadership and supervision.	This is an ongoing process.



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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

**Division of Maintenance & Operations (M&O)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Continue to ensure safe driving practices while operating equipment on roadways.	Accident/ Incident reporting	Occupational Safety Officers	Occupational Safety has implemented a Safe Driver Program for employees who have been involved in an accident to refresh their driving skills.	Already in practice.
SP-3 Goal 2	Hiring/retaining more CDL Equipment Operators.	Recruitment/ Retention rates	M&O Business Management in collaboration with DTC	The collaborative entry-level driver training program provides FMCSA-required training to Equipment Operators to obtain CDL.	Occupational Safety Officer is being trained as a trainer for this program now.

**Division of Motor Vehicles (DMV)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Encourage managers' professional and personal growth.	Improved management skills and knowledge by offering MIT (Management in Training course) to assist staff with management potential in various areas: leadership skills, communication, critical thinking, employee motivation, conflict management, and innovation/creativity. 1.5% of DMV/Tolls staff attends, equaling approximately 10 staff members. The class is kept small to allow staff to engage comfortably.	Chief of Support Services	Managers in Training Program (MIT)	Fall 2022

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**Division of Finance**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Encourage professional development throughout staff while focusing on divisional goals.	Employee feedback and discussions.	Division Management and Supervisors.	The Finance Division regularly meets with managers and supervisors and will continue emphasizing the importance of teamwork, collaboration, and accomplishing common goals. Incorporated training in the monthly meetings specifically for leadership and supervision.	This is an ongoing process.

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**Departmentwide Goals:**

- Continue to have all new and existing DelDOT employees take the mandated online DHR course “A Respectful Workplace” initially and every two years as a refresher.
- Develop and offer customized respect and management skills-related training for locations in the department with higher trending issues or complaints.
- Continue to provide the Dominate Influence Steadiness Conscientiousness Personality Profile (DiSC)—Everything Workplace to work for groups upon request.
- To assist employees in pursuing promotional opportunities, continue offering classes and one-on-one coaching in the areas of application completion and interview preparation.
- Continue to provide customized training to the Project Search students (John S. Charlton School for young adults with developmental disabilities).
- Continue to provide Selection Interviewing training to ensure that the hiring managers and all individuals who may be part of an interview panel have the most current information. During Fiscal Year 2021, 62 individuals attended the instructor-led training.
- Secure FY23 Blue Collar Funding for technical and skill courses to support promotional opportunities.
- Continue addressing backlog for the following courses fully or partially suspended during the Covid-19 response
  - CPR/AED First Aid Training
  - CPR/AED First Aid Recertifications
  - Drug and Alcohol Training
  - Emotional Intelligence
  - Interpersonal Communications
  - Reasonable Suspicion
  - “Supervision. Now What?!?”
- Launch the recently developed “Decision-Making and Problem Solving 101” course, to initially be offered quarterly
- Launch the recently developed “Customer Service: The Internal Experience determines the External Experience” course, initially offered quarterly
- Launch the “Happiness Advantage Workshop” training, frequency TBD.



Delaware Department of  
**Human Resources**

## Delaware Department of Human Resources (DHR)

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### FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022



**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: Jennifer Biddle  
Deputy Secretary, Department of Human Resources

SUBJECT: Department of Human Resources FY22 Equal Opportunity Employment/Affirmative Action Report and FY 23 Action Plan

DATE: December 8, 2022

Attached is a copy of the Department of Human Resources, FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan, submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.


If you have any questions, please feel free to contact Tamara Ben Addi, at 302.672.5156 or [tamara.ben-addi@delaware.gov](mailto:tamara.ben-addi@delaware.gov).

Thank you.

Enclosures

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RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.



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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> The process in this **Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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**9. Associated Policy/Regulations/Information**

- a. The procedures under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a target of discrimination or harassment under State or federal law.
- b. Making a complaint according to this policy will not extend the time frames, prescribed by statute, by which any person must file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a CBA, if applicable, or any court or regulatory body.
- c. The deadline for filing a charge with the DDOL or the EEOC under State and federal laws is three hundred (300) days from the date of the alleged discriminatory action.
- d. [Standards of Conduct Policy and Procedures](#)

**10. Appendices and Forms**

- [Respectful Workplace and Anti-Discrimination Complaint Form](#)
- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Labor Relations and Employment Practices
- **Policy Administrator:** Director of the Division of Labor Relations and Employment Practices
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*



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## **SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

## **SECTION II: EXECUTIVE SUMMARY**

### **SUMMARY STATEMENT:**

---

The Office of Diversity and Inclusion within DHR continues to support the mission of actively striving for more diversity among state employees as outlined in Executive Order 30. DHR will continuously strive to ensure that it has a diverse and inclusive workforce that effectively serves the people of the State of Delaware.

During Fiscal Year 2022, the organization has gained a new Cabinet Secretary, who has guided the divisions through several initiatives, existing and new:

- Americans with Disability Act (ADA) Training
- Alternative Work Agreements (Revised Alternative Work Policy to include window scheduling and telecommuting)
- Paid Emergency Leave and extension through June 30, 2022
- Domestic Violence, Sexual Violence, and Stalking Policy
- Tobacco-Free Indoor Workplace Policy and Procedures
- Workplace Wellness Policy and Procedures
- Trauma Awareness
- Diversity, Equity, and Inclusion Summit
- Paid Volunteer Leave
- State Employee Survey
- Telecommuting Policy
- Worked with stakeholders on the Family Medical Leave Bill that passed in May 2022
- State Employment Campaign
  - Launched a recruitment campaign with Aloysius, Butler & Clark marketing firm to include, but not limited to roadway billboards, social media spots, and public transportation
- Annual Maintenance Review Schedule
  - Human Resources classification maintenance review was finalized and rolled out in March 2022

### **Office of Women's Advancement and Advocacy**

- Participation in the Delaware Pride Festival
- Women's Hall of Fame event
- She's On Her Way Awards luncheon
- Action Plan for Improving State Policies for LGBTQ + State Employees
- Calendar of Religious, State Holidays, and other Commemorative Events



**Talent Acquisition**

- Delaware State Career Fair on May 11, 2022
- Internship program for college students
- Employment Network – Training for employees with disabilities
- Pathways Program – Work-based learning program for high school students
- Hired a full-time Recruiter and received a Military Liaison position via the FY23 Budget Act

DHR continues to be challenged by the underrepresentation of males in its workforce. In fact, during the post-COVID job market, attracting talent statewide has been challenging. We will continue to update community contacts to advertise positions. With the vacancy of our full-time recruiter for OMB, the Human Resource Office has agreed to pilot recruitment centralization. This position under the purview of Talent Acquisition and the OMB/DHR Human Resource Office will serve both organizations. We anticipate that with a closer tie to Talent Acquisition, DHR and OMB will be better represented in job fairs and on social media based on centralization.

For FY23, the Department of Human Resources will continue to lead the State of Delaware with new and revised policies and procedures; initiatives; training, and other resources.

<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Office of the Secretary	13
Field Representatives	124
Talent Management	25
Diversity and Inclusion	11
Labor Relations and Employment Practices	6
Statewide Benefits Office	20
Insurance Coverage	4
Women’s Advancement and Advocacy	3
Staff Development and Training	9
<b>TOTALS</b>	<b>206</b>

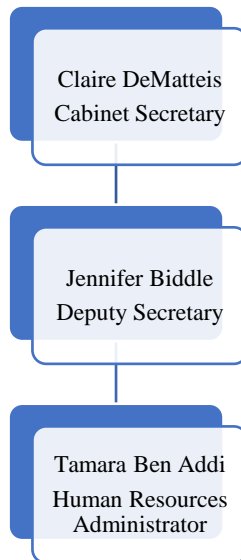
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**Responsibilities for Implementation**

**RESPONSIBILITIES STATEMENT**

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The Secretary of the Department of Human Resources oversees the implementation of DHR’s Affirmative Action Plan. The Secretary of the Department of Human Resources, Claire DeMatteis [Claire.dematteis@delaware.gov](mailto:Claire.dematteis@delaware.gov) implements the Affirmative Action Plan with the Affirmative Action (AA) Officer, Tamara Ben Addi (302) 672-5156 or [tamara.ben-addi@delaware.gov](mailto:tamara.ben-addi@delaware.gov), and ensures managers are following Federal and State laws, regulations, and executive orders.



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**Section III: FY22 Accomplishments: July 1, 2021 - June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	DHR’s Cabinet Secretary set the completion of performance plans and performance reviews as a priority during leadership discussions.	85%-100% completion of DHR employee performance plans and performance reviews.	HR Managers, Directors, and Supervisors	DHR Human Resource office sent out blast reminders to directors, managers, and supervisors.	Ongoing
SP-1 Goal 2	Encouraged engagement of DHR employees in learnings and conversations regarding systemic racism and inequality.	Completion of training is monitored and reported through the DLC – seeking (at minimum) a 50% completion rate.	HR Managers, Directors, and Supervisors	DHR has continued to leverage centralization as a priority to increase the amount of learning and conversations regarding systemic racism and inequality.	Ongoing

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Established opportunities for managers and supervisors to work collaboratively and effectively.	An increasing rate of managers and supervisors engaged in collaborative activities during the year.	DHR leadership, management, and supervisors	Promoted centralization efforts to increase learning and conversations regarding systemic racism and inequality.	Ongoing

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	HR has shifted to a female-dominated profession.  Work toward identifying best practices to close the male underrepresentation gap in human resources positions.	Identified and employed innovative strategies to increase male representation/retention in DHR to close the underrepresentation gap in an HR position.	DHR, HR Leads, EEO/AA, Directors	DHR explored the Pathways Program as an opportunity to identify students, including male students, to heighten their interest in careers with DHR.	Male representation remains unchanged from FY21.
SP-3 Goal 2	Continued to work with DHR managers to close the gap between time-to-fill and time-to-hire metrics.	Do not have any hard-to-fill positions currently; realized an increase in applicants during FY22.	DHR, HR Leads, Directors	Collaborated with the hiring managers to discuss closing the gap; DHR continuously tracked metrics and reported the outcome to DHR leadership.	Ongoing

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**SECTION IV: WORKFORCE ANALYSIS**

**DHR Workforce Analysis Overview:**

---

The Department of Human Resources is underrepresented in one EEO-4 category. DHR has 206 employees and minorities represent 43% of the total DHR workforce, a 4% increase from FY21.

Below are observable trends that affect DHR's opportunity to increase diversity in its workforce:

- DHR is only underrepresented in the Technician EEO-4 category. There is now only one position in this category.
- The field of Human Resources is known as a female-dominated profession. Male representation in HR remained the same as in FY21.
- While DHR does not have any hard-to-fill positions currently, and saw an increase in applicants during FY22, DHR must recruit proactively to combat turnover in all levels of positions.
- DHR must further develop leadership/supervisory education for Human Resource professionals to develop managers' communication skills, strategic thinking, and problem-solving skills.
- DHR has continued to streamline and centralize operations and services.

In summary, DHR has a diverse workforce but should attract more males into the HR profession by utilizing the Delaware Pathways Program, internships, and university partnerships. Since DHR is responsible for the HR policies and practices for all Executive Branch Agencies, they must develop strong Human Resource leaders who can guide the State's workplace culture. DHR must also continue to partner with the community to offer internship/job shadowing opportunities that expose students to the profession.



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## **DHR Demographics at a Glance:**

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The total number of DHR employees as of June 30, 2022, by EEO-4 category is 206.

The DHR EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DHR workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DHR workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DHR does not hire in the Protective Services, Skilled Craft, and Service Maintenance EEO-4 categories.

The following summary of findings were derived from this data:

### **Minority Representation:**

- Minorities represent 43% of the total DHR workforce, a 4% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Technicians (-38%)

### **Female Representation:**

- Females represent 91% of the total DHR workforce, the same as in FY21.
- Females exceed the regional labor market in all EEO-4 categories.

### **Male Representation:**

- Males represent 9% of the DHR workforce, the same as in FY21.
- Males are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-47%)
  - Professionals (-29%)
  - Technicians (-50%)
  - Para-Professional (-20%)
  - Office & Clerical (-26%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	4	1	0	0	0	0	0	5	8%	0	40	16	4	1	0	0	0	61	92%	1	66	22	33%
2 Professionals	7	5	0	0	0	0	0	12	12%	3	50	28	0	5	0	1	4	88	88%	5	100	43	43%
3 Technicians	0	0	0	0	0	0	0	0	0%	0	1	0	0	0	0	0	0	1	100%	0	1	0	0%
4 Protective Services	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
5 Para Professional	0	1	0	0	0	0	0	1	4%	0	10	10	2	3	0	1	1	27	96%	1	28	18	64%
6 Office & Clerical	1	0	0	0	0	0	0	1	9%	0	5	3	1	0	0	0	1	10	91%	1	11	5	45%
7 Skilled Craft	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
8 Service Maintenance	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
<b>Totals</b>	<b>12</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>9%</b>	<b>3</b>	<b>106</b>	<b>57</b>	<b>7</b>	<b>9</b>	<b>0</b>	<b>2</b>	<b>6</b>	<b>187</b>	<b>91%</b>	<b>8</b>	<b>206</b>	<b>88</b>	<b>43%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	33%	9%	26%	6%	2%	0%	0%	0%
2 Professionals	29%	43%	14%	33%	0%	5%	0%	1%	4%
3 Technicians	38%	0%	-38%	0%	0%	0%	0%	0%	0%
4 Protective Services	37%	0%	NA	0%	0%	0%	0%	0%	0%
5 Para Professional	34%	64%	31%	39%	7%	11%	0%	4%	4%
6 Office & Clerical	31%	45%	14%	27%	9%	0%	0%	0%	9%
7 Skilled Craft	26%	0%	NA	0%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	0%	NA	0%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	92%	47%	61%	24%	6%	2%	0%	0%	0%
2 Professionals	59%	88%	29%	50%	28%	0%	5%	0%	1%	4%
3 Technicians	50%	100%	50%	100%	0%	0%	0%	0%	0%	0%
4 Protective Services	19%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	77%	96%	20%	36%	36%	7%	11%	0%	4%	4%
6 Office & Clerical	65%	91%	26%	45%	27%	9%	0%	0%	0%	9%
7 Skilled Craft	6%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	0%	NA	0%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	8%	-47%	6%	2%	0%	0%	0%	0%	0%
2 Professionals	41%	12%	-29%	7%	5%	0%	0%	0%	0%	0%
3 Technicians	50%	0%	-50%	0%	0%	0%	0%	0%	0%	0%
4 Protective Services	81%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	23%	4%	-20%	0%	4%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	9%	-26%	9%	0%	0%	0%	0%	0%	0%
7 Skilled Craft	94%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	0%	NA	0%	0%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and agency demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	12%	4%	9%
2 Professionals	12%	7%	14%
3 Technicians	27%	20%	-38%
4 Protective Services	N/A	N/A	0%
5 Paraprofessional	-33%	-34%	31%
6 Office & Clerical	40%	25%	14%
7 Skilled Craft	N/A	N/A	0%
8 Service Maintenance	N/A	N/A	0%

**Table 6** **Female Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	41%	46%	47%
2 Professionals	32%	29%	29%
3 Technicians	43%	47%	50%
4 Protective Services	N/A	N/A	0%
5 Paraprofessional	16%	23%	20%
6 Office & Clerical	29%	29%	26%
7 Skilled Craft	N/A	N/A	0%
8 Service Maintenance	N/A	N/A	0%

**Table 7** **Male Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	-41%	-46%	-47%
2 Professionals	-32%	-29%	-29%
3 Technicians	-43%	-47%	-50%
4 Protective Services	N/A	N/A	0%
5 Paraprofessional	-16%	-23%	-20%
6 Office & Clerical	-29%	-29%	-26%
7 Skilled Craft	N/A	N/A	0%
8 Service Maintenance	N/A	N/A	0%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022.*

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**SECTION V: COMPLAINTS**

Table 8

<b>Total Complaints by Gender as of 06/30/2022</b>		<b>Total Complaints by Type as of 06/30/2022</b>	
Male	1	ADA	0
Woman	2	Discrimination	0
Non-Binary	0	Gender	0
Not Identified	0	Generic Issue	0
<b>Total</b>	<b>3</b>	Harassment	0
<b>Total Complaints by Race/Ethnicity as of 06/30/2022</b>		Hostile Work Environment	0
Black - African American	2	Merit Rule	3
Asian	0	Misconduct	0
Hispanic/Latinx	0	Retaliation	0
Native American/Alaskan Native	0	Sexual Harassment	0
Not identified	0	Workplace Violence	0
Pacific Islander/Native Hawaiian	0	<b>Total</b>	<b>3</b>
Two or more races	0	<b>Total Complaints by Current Status as of 06/30/2022</b>	
White	1	Open	0
<b>Total</b>	<b>3</b>	Closed	3
<b>Total Complaints by Employment Status as of 06/30/2022</b>		<b>Total</b>	<b>3</b>
Merit	3	<b>Total Complaints by Resolution as of 06/30/2022</b>	
Non-Merit Exempt	0	To be Determined	0
Casual/Seasonal	0	Substantiated	2
Temp/Contract	0	Unsubstantiated	1
<b>Total</b>	<b>3</b>	<b>Total</b>	<b>3</b>
<b>Total Complaints by Category as of 06/30/2022</b>			
Informal	0		
Formal	3		
External	0		
<b>Total</b>	<b>3</b>		

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

Table 8 data were obtained from agency internal records during FY22.

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	0	0%	0	0%	0%
Total Female Minority Disciplines	0	0%	0	0%	0%
Total Male Non-Minority Disciplines	1	100%	0	0%	-100%
Total Male Minority Disciplines	0	0%	0	0%	0%
<b>Total Disciplines</b>	<b>1</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>-100%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	25	61%	18	40%	-28%
Total Female Minority Separations	10	24%	19	42%	47%
Total Male Non-Minority Separations	3	7%	6	13%	50%
Total Male Minority Separations	3	7%	2	4%	-33%
<b>Total Separations</b>	<b>41</b>	<b>100%</b>	<b>45</b>	<b>100%</b>	<b>9%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	12	57%	39	38%	69%
Total Female Minority New Hires	7	33%	50	49%	86%
Total Male Non-Minority New Hires	2	10%	5	5%	60%
Total Male Minority New Hires	0	0%	8	8%	100%
<b>Total New Hires</b>	<b>21</b>	<b>100%</b>	<b>102</b>	<b>100%</b>	<b>79%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	35	56%	74	50%	53%
Total Female Minority Promotions	22	35%	65	44%	66%
Total Male Non-Minority Promotions	2	3%	7	5%	71%
Total Male Minority Promotions	3	5%	3	2%	0%
<b>Total Promotions</b>	<b>62</b>	<b>100%</b>	<b>149</b>	<b>100%</b>	<b>58%</b>

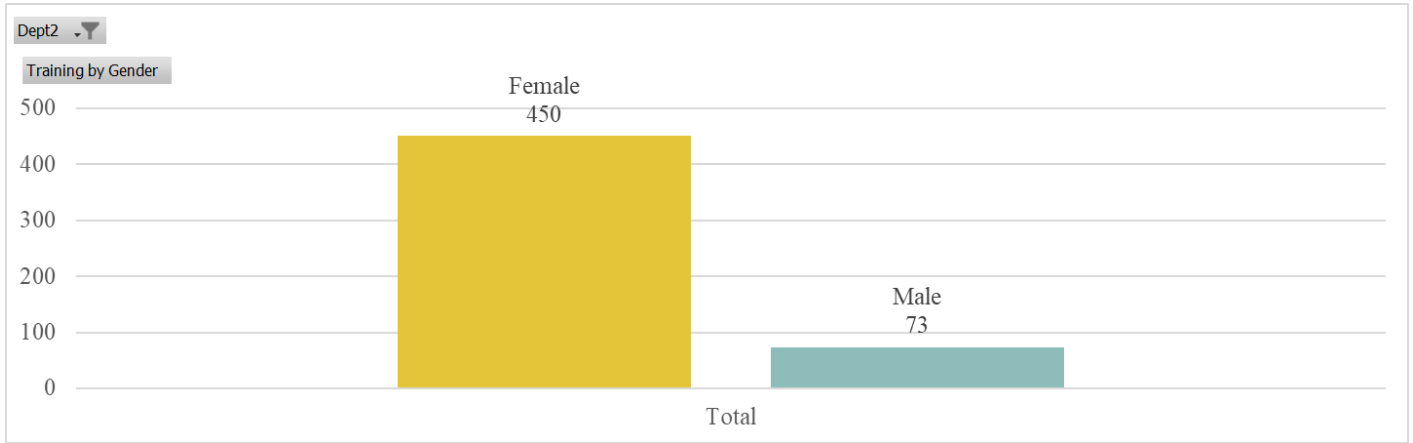
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

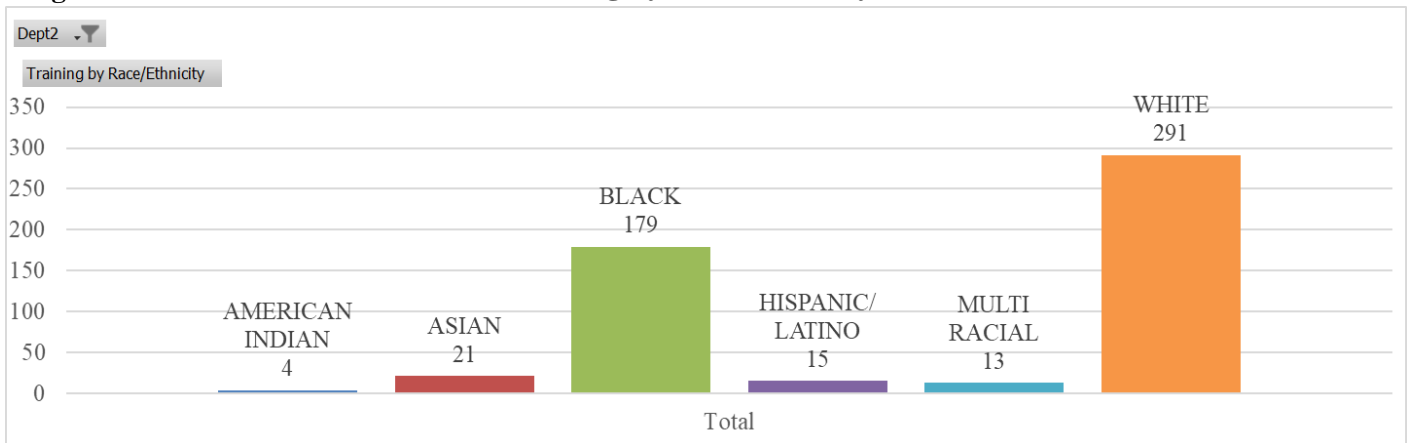
**STATE OF DELAWARE**  
**DEPARTMENT OF HUMAN RESOURCES (DHR)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**SECTION VII: EMPLOYEE ENGAGEMENT**

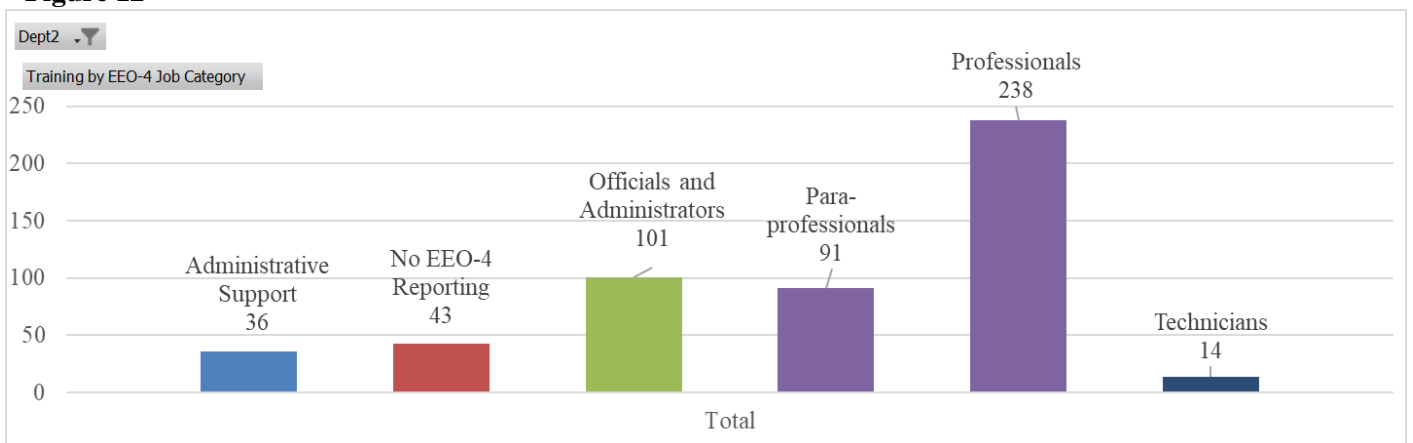
**Figure 10 Training by Gender**



**Figure 11 Training by Race/Ethnicity**



**Figure 12 Training by EEO-4 Job Category**



**Figures 10-12** display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022 .

**STATE OF DELAWARE**  
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**Table 13**

<b>TUITION REIMBURSEMENT SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female	1
Total Minority Female	0
Total Non-Minority Male	0
Total Minority Male	0
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>1</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed	11
Total Requests for Accommodations	4
Total Requests Accommodated	1
Total Selective Placement Candidates Interviewed	1
Total Selective Placement Candidates Hired	0

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via Selective Placement.

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*



**STATE OF DELAWARE**  
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**Table 15**

<b>EXIT SURVEY SUMMARY</b>						
	<b>EXCELLEN</b>	<b>GOOD</b>	<b>AVERAGE</b>	<b>BELOW</b>	<b>POOR</b>	<b>TOTAL</b>
<b>Agency as a place to work</b>	50%	17%	17%	0%	17%	100%
	3	1	1	0	1	6
<b>Opportunity for advancement or promotion</b>	17%	17%	33%	33%	0%	100%
	1	1	2	2	0	6
<b>Recognition of accomplishments/contributions</b>	50%	17%	17%	17%	0%	100%
	3	1	1	1	0	6
<b>Relationships with co-workers</b>	33%	67%	0%	0%	0%	100%
	2	4	0	0	0	6
<b>Relationship with your manager/supervisor</b>	50%	17%	17%	17%	0%	100%
	3	1	1	1	0	6
<b>Agency commitment to quality and customer service</b>	50%	17%	17%	0%	17%	100%
	3	1	1	0	1	6
<b>Work area tools available to perform the functions of your job</b>	0%	17%	17%	0%	17%	50%
	3	1	1	0	1	6
<b>Performance goals were clear and you knew what was expected of you in your job</b>	50%	17%	17%	0%	17%	100%
	3	1	1	0	1	6
<b>Training and development needs were assessed and met</b>	50%	17%	0%	0%	33%	100%
	3	1	0	0	2	6
<b>Benefits package</b>	33%	33%	33%	0%	0%	100%
	2	2	2	0	0	6
<b>Compensation</b>	17%	33%	33%	17%	0%	100%
	1	2	2	1	0	6
<b>Family-Friendly Workplace</b>	50%	33%	0%	0%	17%	100%
	3	2	0	0	1	6

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*

**STATE OF DELAWARE**  
**DEPARTMENT OF HUMAN RESOURCES (DHR)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
<b>DHR has no Hard-to-Fill Positions</b>							

**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
<b>DHR has no Hard-to-Fill Positions</b>						

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

**STATE OF DELAWARE**  
**DEPARTMENT OF HUMAN RESOURCES (DHR)**  
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**Table 18**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
160101010	DHR/Ofc of the Secty/OMB	N/A	0%	N/A
160101011	DHR/Ofc of the Secty/DTI	N/A	0%	N/A
160101016	DHR/Ofc of the Secty/DHR	N/A	0%	N/A
160101020	DHR/Ofc of the Secty/State	N/A	15%	N/A
160101025	DHR/Ofc of the Secty/Financ	N/A	0%	N/A
160101035	DHR/Ofc of the Secty/DHSS	N/A	40%	N/A
160101037	DHR/Ofc of the Secty/DSCYF	N/A	36%	N/A
160101038	DHR/Ofc of the Secty/DOC	N/A	15%	N/A
160101040	DHR/Ofc of the Secty/DNREC	N/A	0%	N/A
160101045	DHR/Ofc of the Secty/DSHS	N/A	44%	N/A
160101055	DHR/Ofc of the Secty/DeIDOT	N/A	28%	N/A
160101060	DHR/Ofc of the Secty/DOL	N/A	0%	N/A
160101065	DHR/Ofc of the Secty/Deptof	N/A	0%	N/A
160101100	DHR / Office of the Secreta	N/A	10%	N/A
160201200	DHR/Diviion of Talent Mgmt	4%	12%	8%
160202200	DHR/DivTalnMgmt/StaffDev&Tr	12%	0%	-12%
160301300	DHR/Div of Dvrsity & Inclus	22%	10%	-12%
160401400	DHR/Div/LbrRltons&Emplymt P	35%	0%	-35%
160501500	DHR/Div of Statewide Benefi	5%	20%	15%
160502500	DHR/Div Stwide Ben/InsCvrgO	0%	60%	60%
160601600	DHR/Ofc of Women's Advcmt&A	40%	0%	-40%
<b>Department Average</b>		<b>17%</b>	<b>14%</b>	<b>-3%</b>

**Table 19**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate	Turnover Rate	% Change
		FY21	FY22	FY22 vs FY21
<b>DHR has no Hard-to-Fill Positions</b>				

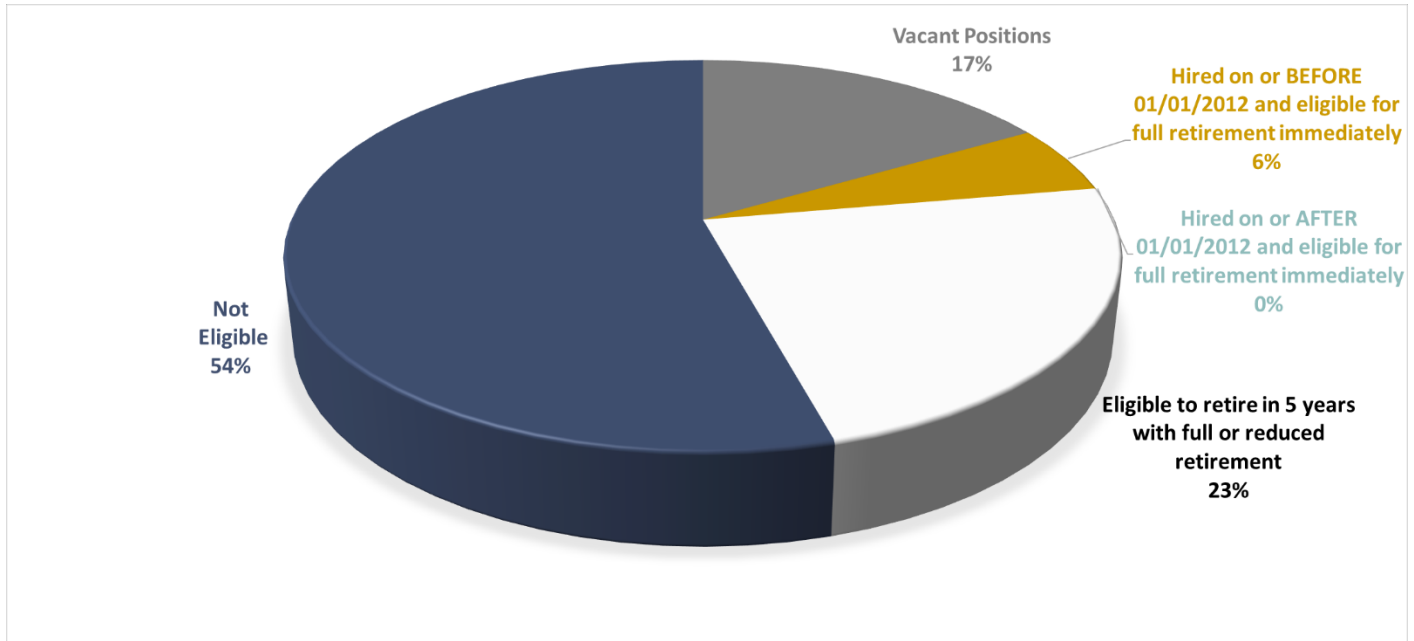
**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

**STATE OF DELAWARE**  
**DEPARTMENT OF HUMAN RESOURCES (DHR)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

**STATE OF DELAWARE**  
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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Office of the Secretary</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
15	13	2	1	0	6	6
<b>Field Representatives</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
147	123	24	0	0	33	90
<b>Talent Management</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
18	15	3	4	0	6	5
<b>Statewide Benefits</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
23	20	3	3	0	4	13
<b>Insurance Coverage Office</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
7	5	2	3	0	1	1
<b>Diversity and Inclusion</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
12	11	1	1	0	3	7
<b>Women's Advancement and Advocacy</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
3	3	0	0	0	0	3
<b>Labor Relations and Employment Practices</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
11	6	5	0	0	2	4
<b>Staff Development and Training</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
11	10	1	2	0	3	5
<b>Department of Human Resources Totals</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
247	206	41	14	0	58	134

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

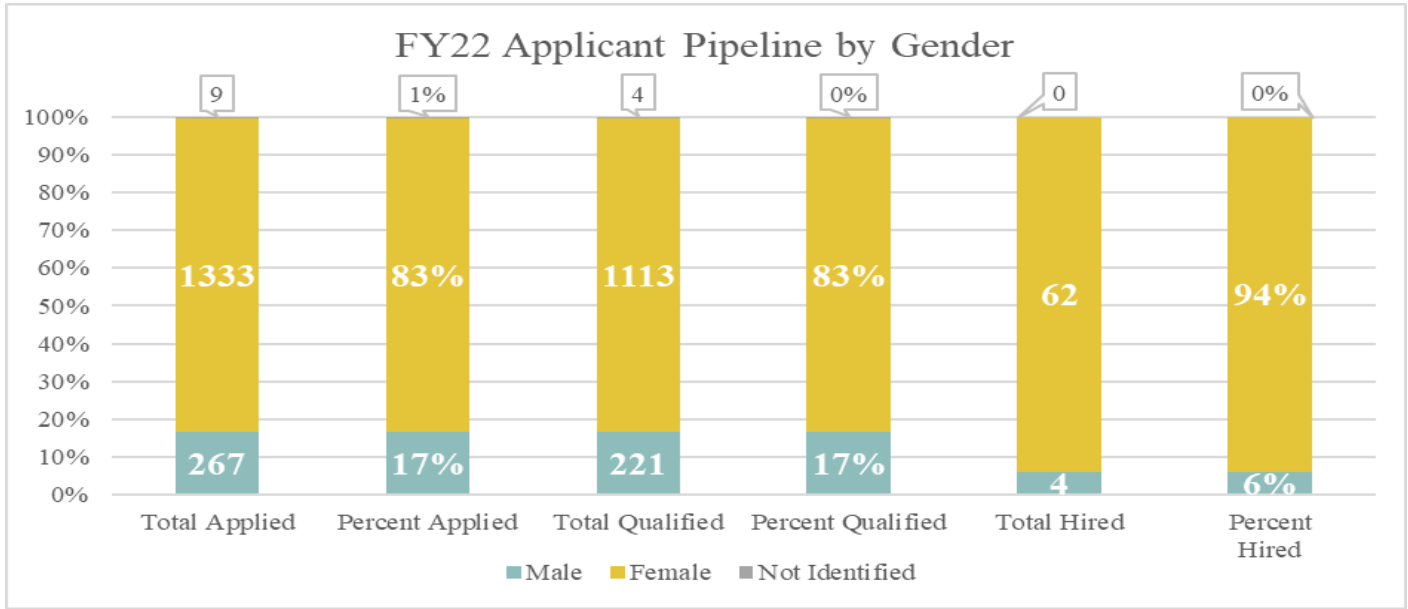
Table 21 data were obtained from the PHRST system as of 06/30/2022.

**STATE OF DELAWARE**  
**DEPARTMENT OF HUMAN RESOURCES (DHR)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

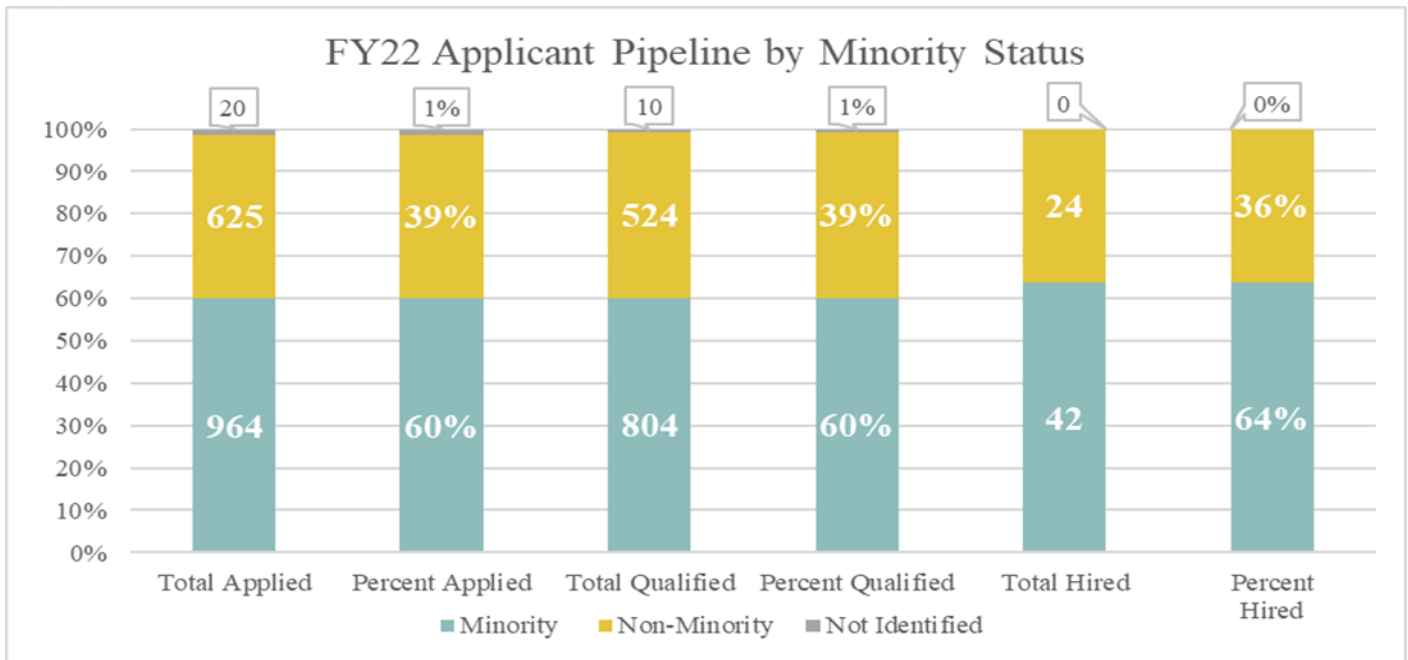
**Applicant Pipeline**

In FY22, 1,609 people applied online to DHR jobs, a 7% increase from FY21 in which 1,504 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total number of applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](https://statejobs.delaware.gov), by minority status and gender. Further illustrated is the total number of applicants who were found qualified and hired, also by minority status and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

**STATE OF DELAWARE**  
**DEPARTMENT OF HUMAN RESOURCES (DHR)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	45	34
FY22	49	34
Change FY21 vs FY22	4	0

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	3	2
FY22	4	2
Change FY21 vs FY22	1	0

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time the referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from when they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

**STATE OF DELAWARE**  
**DEPARTMENT OF HUMAN RESOURCES (DHR)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Understand and acknowledge the diverse experiences and interactions within their teams.	Lead, manage, and engage cross-functional teams by streamlining communications with employees and increasing opportunities for employees to engage in teamwork.	DHR	N/A	Ongoing
SP-1 Goal 2	Promote inclusion by leveraging the knowledge of diverse groups in process improvements.	Organize a team to identify best practices to support the recruitment, hiring, and engagement of underrepresented groups, including persons with disabilities and veterans.	DHR	N/A	End of FY23



**STATE OF DELAWARE**  
**DEPARTMENT OF HUMAN RESOURCES (DHR)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.\*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Develop leadership and supervisory education initiatives for HR professionals, including but not limited to communication skills, strategic thinking, and problem-solving skills.	Increased participation in training leads to increased knowledge and skills for professional HR employees.	DHR Training and Development  DHR Personnel Management  DHR Diversity and Inclusion  Managers and Supervisors	N/A	TBD

**STATE OF DELAWARE**  
**DEPARTMENT OF HUMAN RESOURCES (DHR)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their career with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Ensure all employees are taking advantage of professional, personal, and leadership development opportunities.	All employees have attended at least one professional development initiative.	Managers / Supervisors	Fiscal note	FY23 ongoing.



**Delaware Department of Health and Social Services (DHSS)**

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**FY22 EEO/AA Report and FY23 Action Plan**

**Fiscal Year 2022**



**Delaware Health  
and Social Services**

**Office of the Secretary**

1901 N. DUPONT HIGHWAY, NEW CASTLE, DE 19720 \* TELEPHONE: 302-255-9040 FAX: 302-255-4429

**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: Molly K. Magarik  
Cabinet Secretary, Department of Health and Social Services (DHSS)

SUBJECT: DHSS  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

DATE: December 5, 2022

Attached is a copy of the DHSS FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.


If you have any questions, please feel free to contact me at (302) 255-9039 or [molly.magarik@delaware.gov](mailto:molly.magarik@delaware.gov)

Thank you.

Enclosures

**STATE OF DELAWARE**  
**DEPARTMENT OF HEALTH AND SOCIAL SERVICES (DHSS)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

**STATE OF DELAWARE**  
**DEPARTMENT OF HEALTH AND SOCIAL SERVICES (DHSS)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

<b>Respectful Workplace and Anti-Discrimination Policy</b>	<b>Policy #: To be assigned.</b> <b>Rev. Date: 7/25/2022</b>
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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

**STATE OF DELAWARE**  
**DEPARTMENT OF HEALTH AND SOCIAL SERVICES (DHSS)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.



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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> **The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will ill share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

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The Delaware Department of Health and Social Services (DHSS) continues to promote a diverse workforce in which each employee at every level of the organization and each client in every agency program is valued and respected. DHSS has improved compliance with labor market availability benchmarks for race and sex and has embraced other characteristics of diversity such as age, disability, religion, sexual orientation, and identity.

DHSS continued to endure challenges due to COVID-19, particularly with staffing in our facilities. We had an extraordinary need to aggressively recruit nurses (RNs, LPNs, CNAs) and other healthcare staff such as Dental, Epidemiologists, and Nutritionists. In addition to medical staffing shortages, the department experienced challenges and an increase in the time to fill vacancies. The state was able to successfully negotiate wage increases for nurses covered by a collective bargaining agreement(s); wages were also successfully negotiated for other job classes such as Cooks, Custodial Workers, Laundry Workers, Physical Plant Trade Mechanics, and Senior Social Workers/Case Managers. This wage negotiation was relative to the state's retention efforts and determination to foster harmonious relationships with the department's unionized employees.

DHSS is committed to employee development on all levels and to creating opportunities for advancement that lead to employee satisfaction and reduced turnover. Many divisions within the department have implemented strategies in succession planning to encourage existing staff to apply for promotional opportunities, and to have action plans to fill in work gaps as vacancies occur. DHSS also launched its own "Leadership Academy", a program, a series of in-person development training, which will provide relevant job knowledge for employees seeking advancement into management opportunities. The participants must complete work related to the pieces of training, conduct a presentation, and be honored with a graduation ceremony.

The Division of State Service Centers (DSSC) is remodeling its services via "Reimagining", which is geared towards streamlining and improving operations related to enhancing the client experience to a "person-centered" model, which includes staff and clients. This initiative helps to strengthen the workforce via communication and promotes inclusion.



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DHSS also experienced changing dynamics of the workforce, such as increased telework, alternative work schedules, increased resignations, and retirements. DHSS is proud of our ability to maintain excellent client services with a leaner staff and exceptional challenges. We rely on our employees to help sustain the supportive work environment necessary for delivering culturally sensitive quality services to our customers. Divisions are encouraged employee training in areas of trauma awareness to help foster an inclusive workplace culture. Additionally, promoting awareness of the state's Workplace Wellness Policy and Procedure to encourage employees' personal health and wellness. Other accomplishments related to DHSS's diversity and inclusivity goals include:

- Informing employees of the Standards of Conduct Policy and Respectful Workplace Anti-Discrimination policy at the time of hire during New Employee Orientation.
- Continues with DHSS Town Hall meetings facilitated by the DHSS Secretary, and divisional Town Halls with division leadership to facilitate information and encourage communication.
- Continues with DHSS Book Drive meetings which encourage book discussions on various books or themes which promote dialogue related to cultural awareness.

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**DEPARTMENT SUMMARY**

<b>Names of Divisions</b>	<b># of Employees</b>
Office of the Secretary and Division of Management Services (DMS)	492
Division of Medicaid and Medical Assistance (DMMA)	178
Division of Public Health (DPH)	586
Division of Substance Abuse and Mental Health (DSAMH)	427
Division of Social Services (DSS)	342
Division for the Visually Impaired (DVI)	59
Division of Health Care Quality (DHCQ)	51
Division of Child Support Services (DCSS)	155
Division of Developmental Disabilities Services (DDDS)	288
Division of State Service Centers (DSSC)	92
Division of Services for Aging and Adults with Physical Disabilities (DSAAPD)	95
Division of Long-Term Care (DLTC)	324
<b>TOTALS</b>	<b>3,089</b>

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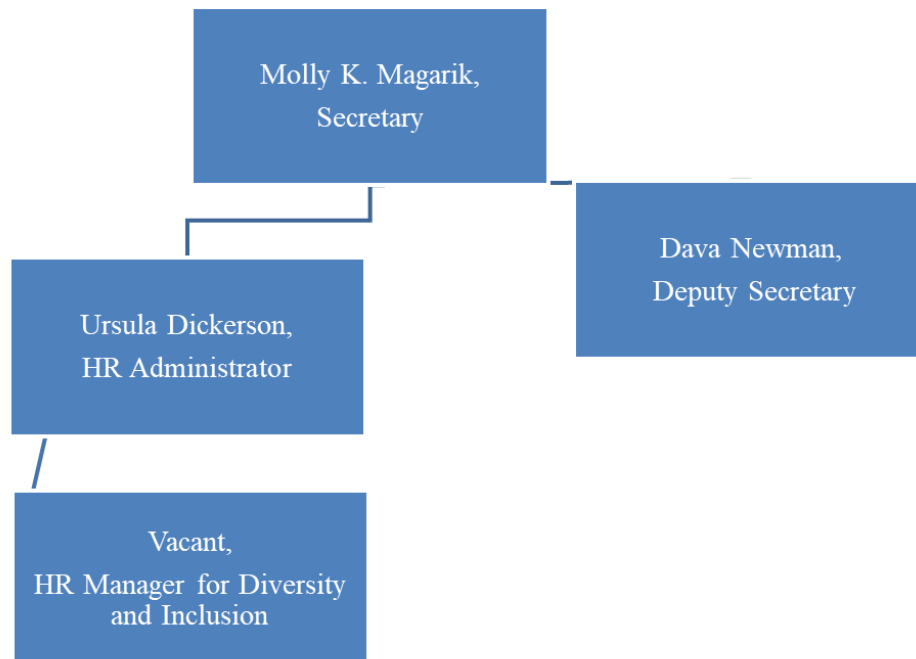
**Responsibilities for Implementation**

**RESPONSIBILITIES STATEMENT**

The DHSS mission statement is, “To improve the quality of life for Delaware’s citizens by promoting health and well-being, fostering self-sufficiency, and protecting vulnerable populations.” As the Department is committed to quality service and care for Delaware citizens it demonstrates the same commitment to its employees to encourage a work environment of fairness, equality, and non-discrimination both in policy and practice. We recognize, respect, include, and treat all people we hire and serve with fairness and equity.

Division Directors are responsible for the Department EEO/AA program as it relates to their divisions by establishing standards and practices that promote respectful work environments for their employees. The Directors make certain that discrimination concerns raised in the Divisions are addressed promptly, with appropriate guidance from Human Resources. The Directors provide employees with opportunities to attend training on diversity issues to provide them with the skills needed to promote a positive workplace. Division Directors also exercise care in appointing selection panels and interview teams for vacancies in their divisions, ensuring that such groups are diverse with respect to race and sex.

The Office of the Secretary (OSEC) in conjunction with DHR is instrumental in the development and implementation of the annual Affirmative Action Plan. The Secretary of the DHSS oversees the implementation of the Department’s Affirmative Action Plan to ensure that it is implemented promptly and effectively. The HR Manager - Employee Relations which includes Diversity and Inclusion (D&I) is responsible for the general agency director of the EEO/AA Plan, acts as the agency ADA Manager/Coordinator, and is the lead for Diversity and Inclusion. The HR Manager – Employee Relations works within the Human Resources Unit, which is housed under the Department of Human Resources.



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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Improve employee engagement and two-way communication	Improved relationship/dialogue with employees; improved work relationships.	Division Directors and subsequent leadership staff.	Division Town Hall; Regular Staff Meetings; 1:1 meetings with employees; open-door policies.	Completed 2022; & ongoing.
SP-1 Goal 2	Succession Planning	Ability to continue operations while experiencing employment gaps.	Division Directors and subsequent leadership staff.	Policy and procedure development; cross-training & job shadowing. Performance Plans.	Completed 2022; & ongoing.

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Develop current leadership to effectively address employee issues.	Ability to resolve complaints in conjunction with leadership or Human Resources.	Division Directors and subsequent leadership staff.	Encourage leadership training and development, and communication skills.	Completed 2022 & ongoing.

**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Resignations & Vacancies- Focus on benefits versus pay.	Ability to retain talent with competitive salaries within the state or in the private sector.	DHR & DHSS	Wage negotiations; career fairs; knowledge transfer	Wage negotiation completed in 2022; others are ongoing.
SP-3 Goal 2	Succession Planning	Ability to continue operations while experiencing employment gaps.	Division Directors and subsequent leadership staff.	Policy and procedure development; cross-training & job shadowing. Performance Plans.	Completed 2022 & ongoing.

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**SECTION IV: WORKFORCE ANALYSIS**

**DHSS Workforce Analysis Overview:**

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The Department of Health and Social Services (DHSS) is underrepresented in one EEO-4 category. DHSS has 3,089 employees and minorities represent 52% of the DHSS workforce, the same as in FY21.

Below are observable trends that affect DHSS's opportunity to increase diversity in their workforce:

- Competition is high for nursing talent from other State Agencies, local hospitals, and nursing homes. Nurse salaries are not competitive with the private industry, which makes it difficult to attract and retain talent. DHSS experienced the most related turnover of Nursing staff at 75%.
- DHSS is underrepresented in the Skilled Craft EEO-4 category, specifically as it relates to females.
- DHSS has 44 job classifications that are defined as hard-to-fill. The majority are Nursing, Medical, and IT positions.

DHSS facilities experienced the highest turnover in FY22, including Division of Public Health (DPH), the Division of Developmental Disabilities Services (DDDS), and the Delaware Psychiatric Center (DPC).

- The hiring for males (minority and non-minority) increased from last fiscal year and hiring for females (minority and non-minority) decreased from last fiscal year. Promotions increased in female minorities from last fiscal year. Minority male separations decreased from last fiscal year.
- DHSS must continue to require manager education on leadership/supervisory skills to improve workplace culture and equity. They also must facilitate compliance of HR personnel policies by using performance plans to document expectations for every manager.
- Males are under-represented in the EEO-4 categories 6-Office & Clerical, 5-Paraprofessionals, 2-Professionals, and 1-Officials & Administrators. DHSS must find ways to attract male to these under-represented categories via The Delaware Pathways Program and university outreach.

DHSS experienced an extreme staffing shortage within its nursing and medical job classifications, however, was able to successfully maintain services and operations. Overall DHSS has a diverse workforce, but should continue to focus on recruitment for nurses, medical, and IT positions. Additionally, DHSS should seek to increase male representation. DHSS could utilize the Delaware Pathways Program, internships, and university partnerships to attract men into EEO-4 professional categories. For hard-to fill-positions and to combat turnover, DHSS should partner with Delaware universities and the Delaware Pathways Program to offer internship/job shadowing opportunities that could help to expose students to fields such as Nursing, Medical, and Trades. DHSS should continue to utilize and explore opportunities to improve recruitment and retention such as hiring and referral incentives, and on-the-job training. DHSS should continue to improve Hiring Manager education to create a positive workplace culture and ensure an environment that is inclusive and fair for all employees regardless of gender, color, or ethnicity.

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**DHSS Demographics at a Glance:**

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The total number of DHSS employees as of June 30, 2022, by EEO-4 category is 3,089.

The DHSS EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DHSS workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DHSS workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender.

The following summary of findings were derived from this data:

**Minority Representation:**

- Minorities represent 52% of the total DHSS workforce, the same as in FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Skilled Craft (-6%)

**Female Representation:**

- Females represent 74% of the total DHSS workforce, a 1% decrease from FY21.
- Females exceed the regional labor market in all EEO-4 categories.

**Male Representation:**

- Males represent 26% of the DHSS workforce, a 1% increase from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-30%)
  - Professionals (-20%)
  - Technicians (-4%)
  - Protective Services (-18%)
  - Para-Professional (-4%)
  - Office & Clerical (-24%)
  - Skilled Craft (-3%)
  - Service Maintenance (-4%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	62	15	0	4	0	1	2	84	25%	5	161	70	9	8	0	0	7	255	75%	17	339	116	34%
2 Professionals	192	99	10	28	0	1	10	340	22%	18	570	494	79	50	0	3	40	1236	78%	62	1576	814	52%
3 Technicians	27	10	0	3	0	1	4	45	46%	2	21	25	6	1	0	0	0	53	54%	0	98	50	51%
4 Protective Services	21	25	1	0	0	0	1	48	62%	4	21	8	0	0	0	0	0	29	38%	1	77	35	45%
5 Para Professional	16	49	7	2	0	0	1	75	20%	5	95	189	8	7	0	2	5	306	80%	5	381	270	71%
6 Office & Clerical	14	16	2	2	0	0	2	36	11%	6	144	113	17	9	2	1	7	293	89%	26	329	171	52%
7 Skilled Craft	56	7	2	3	0	0	1	69	91%	2	5	2	0	0	0	0	0	7	9%	0	76	15	20%
8 Service Maintenance	44	56	3	2	0	1	4	110	52%	6	41	52	4	4	0	1	1	103	48%	1	213	128	60%
<b>Totals</b>	<b>432</b>	<b>277</b>	<b>25</b>	<b>44</b>	<b>0</b>	<b>4</b>	<b>25</b>	<b>807</b>	<b>26%</b>	<b>48</b>	<b>1058</b>	<b>953</b>	<b>123</b>	<b>79</b>	<b>2</b>	<b>7</b>	<b>60</b>	<b>2282</b>	<b>74%</b>	<b>112</b>	<b>3089</b>	<b>1599</b>	<b>52%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*



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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	34%	10%	25%	3%	4%	0%	0%	3%
2 Professionals	29%	52%	23%	38%	6%	5%	0%	0%	3%
3 Technicians	38%	51%	14%	36%	6%	4%	0%	1%	4%
4 Protective Services	37%	45%	9%	43%	1%	0%	0%	0%	1%
5 Para Professional	34%	71%	37%	62%	4%	2%	0%	1%	2%
6 Office & Clerical	31%	52%	21%	39%	6%	3%	1%	0%	3%
7 Skilled Craft	26%	20%	-6%	12%	3%	4%	0%	0%	1%
8 Service Maintenance	45%	60%	15%	51%	3%	3%	0%	1%	2%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	75%	30%	47%	21%	3%	2%	0%	0%	2%
2 Professionals	59%	78%	20%	36%	31%	5%	3%	0%	0%	3%
3 Technicians	50%	54%	4%	21%	26%	6%	1%	0%	0%	0%
4 Protective Services	19%	38%	18%	27%	10%	0%	0%	0%	0%	0%
5 Para Professional	77%	80%	4%	25%	50%	2%	2%	0%	1%	1%
6 Office & Clerical	65%	89%	24%	44%	34%	5%	3%	1%	0%	2%
7 Skilled Craft	6%	9%	3%	7%	3%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	48%	4%	19%	24%	2%	2%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	25%	-30%	18%	4%	0%	1%	0%	0%	1%
2 Professionals	41%	22%	-20%	12%	6%	1%	2%	0%	0%	1%
3 Technicians	50%	46%	-4%	28%	10%	0%	3%	0%	1%	4%
4 Protective Services	81%	62%	-18%	27%	32%	1%	0%	0%	0%	1%
5 Para Professional	23%	20%	-4%	4%	13%	2%	1%	0%	0%	0%
6 Office & Clerical	35%	11%	-24%	4%	5%	1%	1%	0%	0%	1%
7 Skilled Craft	94%	91%	-3%	74%	9%	3%	4%	0%	0%	1%
8 Service Maintenance	56%	52%	-4%	21%	26%	1%	1%	0%	0%	2%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and [AGENCY] demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	15%	11%	10%
2 Professionals	27%	22%	23%
3 Technicians	25%	10%	14%
4 Protective Services	12%	4%	9%
5 Paraprofessional	38%	36%	37%
6 Office & Clerical	29%	23%	21%
7 Skilled Craft	-2%	-6%	-6%
8 Service Maintenance	15%	13%	15%

**Table 6** **Female Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	31%	30%	30%
2 Professionals	22%	20%	20%
3 Technicians	5%	10%	4%
4 Protective Services	5%	17%	18%
5 Paraprofessional	-3%	5%	4%
6 Office & Clerical	25%	25%	24%
7 Skilled Craft	6%	4%	3%
8 Service Maintenance	5%	7%	4%

**Table 7** **Male Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	-31%	-30%	-30%
2 Professionals	-22%	-20%	-20%
3 Technicians	-5%	-10%	-4%
4 Protective Services	-5%	-17%	-18%
5 Paraprofessional	3%	-5%	-4%
6 Office & Clerical	-25%	-25%	-24%
7 Skilled Craft	-6%	-4%	-3%
8 Service Maintenance	-5%	-7%	-4%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022.*

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**SECTION V: COMPLAINTS**

Table 8

<b>Total Complaints by Gender as of 06/30/2022</b>	
Male	20
Woman	48
Other	0
<b>Total</b>	<b>68</b>
<b>Total Complaints by Race/Ethnicity as of 06/30/2022</b>	
Black - African American	35
Asian	2
Hispanic/Latinx	5
Native American/Alaskan Native	0
Not identified	0
Pacific Islander/Native Hawaiian	0
Two or more races	1
White	25
<b>Total</b>	<b>68</b>
<b>Total Complaints by Employment Status as of 06/30/2022</b>	
Merit	57
Non-Merit Exempt	2
Casual/Seasonal	6
Temp/Contract	3
<b>Total</b>	<b>68</b>
<b>Total Complaints by Category as of 06/30/2022</b>	
Informal	47
Formal	17
External	4
<b>Total</b>	<b>68</b>

<b>Total Complaints by Type as of 06/30/2022</b>	
ADA	0
Discrimination	3
Gender	0
Other	33
Harassment	3
Hostile Work Environment	17
Merit Rule	0
Misconduct	4
Retaliation	4
Sexual Harassment	3
Workplace Violence	1
<b>Total</b>	<b>68</b>
<b>Total Complaints by Current Status as of 06/30/2022</b>	
Open	10
Closed	58
<b>Total</b>	<b>68</b>
<b>Total Complaints by Resolution as of 06/30/2022</b>	
To be Determined	48
Substantiated	1
Unsubstantiated	19
<b>Total</b>	<b>68</b>

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

Table 8 data were obtained from agency internal records during FY22.

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	27	23%	0	0%	-100%
Total Female Minority Disciplines	50	42%	15	54%	-70%
Total Male Non-Minority Disciplines	4	3%	0	0%	-100%
Total Male Minority Disciplines	38	32%	13	46%	-66%
<b>Total Disciplines</b>	<b>119</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>-76%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	145	29%	176	29%	18%
Total Female Minority Separations	221	44%	283	46%	22%
Total Male Non-Minority Separations	68	13%	87	14%	22%
Total Male Minority Separations	71	14%	63	10%	-11%
<b>Total Separations</b>	<b>505</b>	<b>100%</b>	<b>609</b>	<b>100%</b>	<b>17%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	197	32%	243	33%	19%
Total Female Minority New Hires	271	44%	296	41%	8%
Total Male Non-Minority New Hires	73	12%	88	12%	17%
Total Male Minority New Hires	78	13%	102	14%	24%
<b>Total New Hires</b>	<b>619</b>	<b>100%</b>	<b>729</b>	<b>100%</b>	<b>15%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	79	35%	104	35%	24%
Total Female Minority Promotions	86	38%	122	41%	30%
Total Male Non-Minority Promotions	32	14%	47	16%	32%
Total Male Minority Promotions	29	13%	26	9%	-10%
<b>Total Promotions</b>	<b>226</b>	<b>100%</b>	<b>299</b>	<b>100%</b>	<b>24%</b>

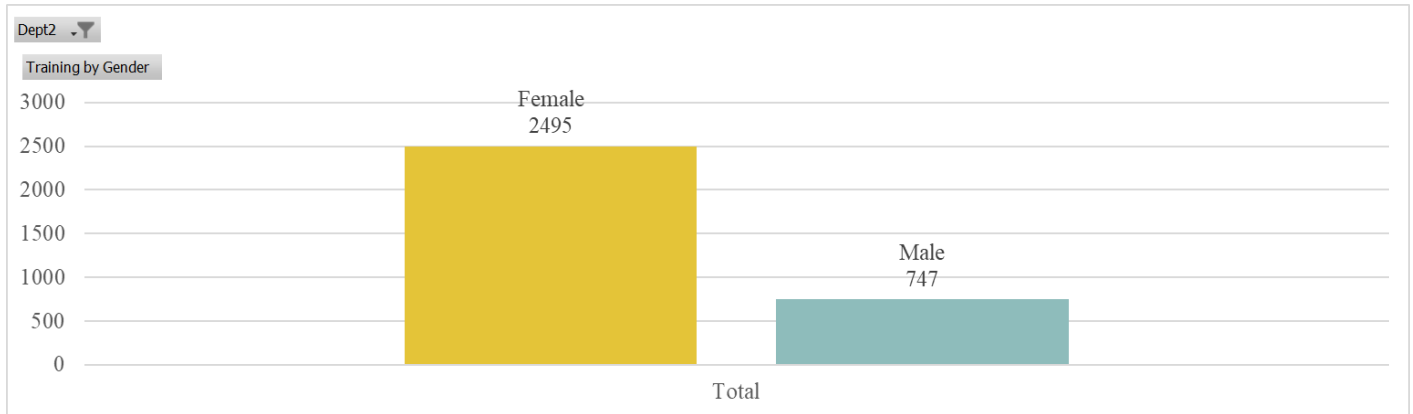
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

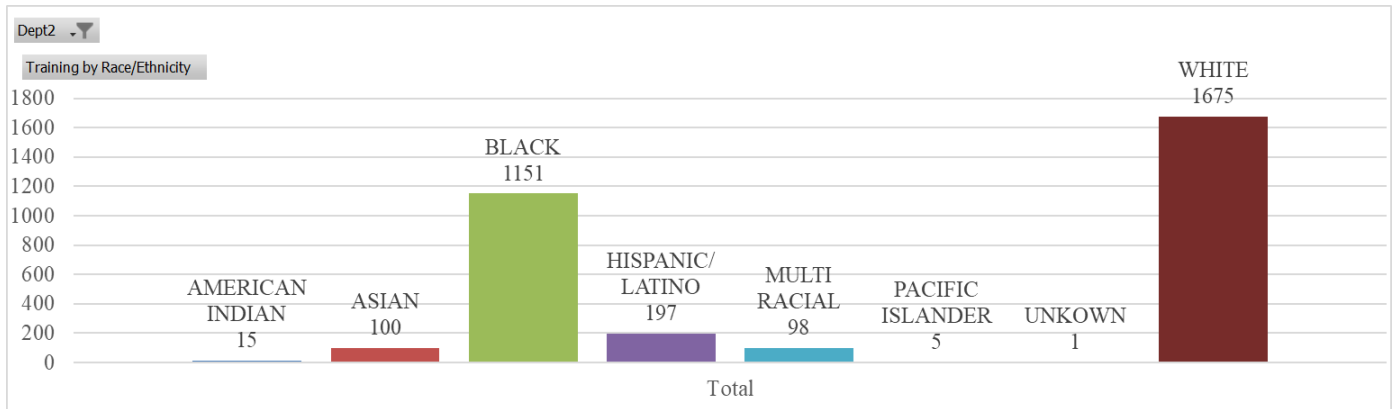
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**SECTION VII: EMPLOYEE ENGAGEMENT**

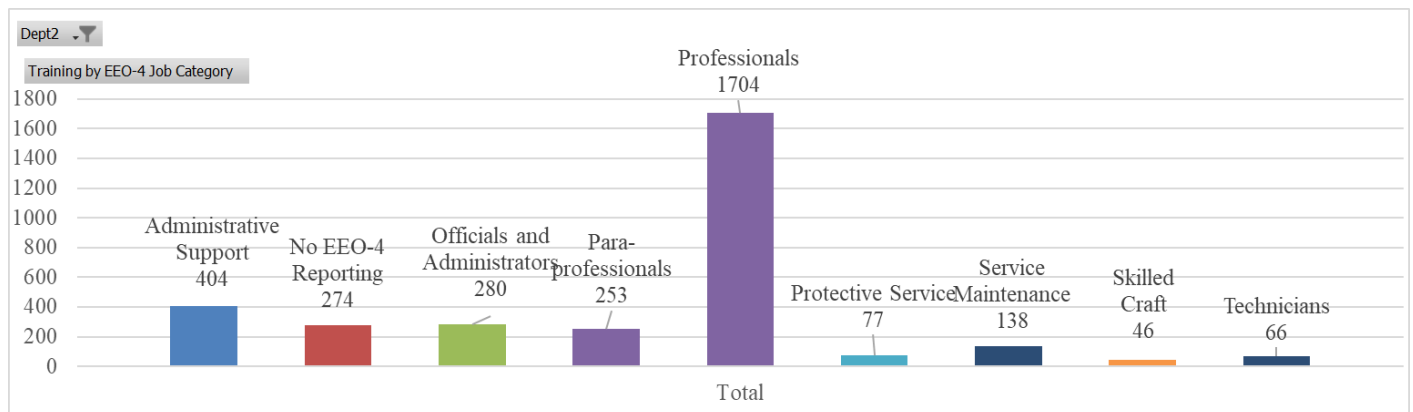
**Figure 10 Training by Gender**



**Figure 11 Training by Race/Ethnicity**



**Figure 12 Training by EEO-4 Job Category**



**Figures 10-12** display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022 .

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**Table 13**

TUITION REIMBURSEMENT SUMMARY	
	Number
Total Non-Minority Female	3
Total Minority Female	3
Total Non-Minority Male	0
Total Minority Male	0
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>6</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

DISABILITIES SUMMARY	
	Number
Total Employees Self-Identified or Disclosed Disabled	160
Total Requests for Accommodations	163
Total Requests Accommodated	110
Total Selective Placement Candidates Interviewed	19
Total Selective Placement Candidates Hired	2

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

**Table 15**

**Exit Survey Data is not available for FY22. DHSS is working to update their exit survey mechanisms**

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY 21
4	6	MACE02	Trainer/Educator III	38	11%	16%	33%
6	6	MACZ10	Teacher (DHSS/DVI)	25	24%	24%	0%
9	8	MADA04	Sr. Application Support Spec.	39	23%	21%	-11%
1	2	MADA05	App. Support Project Leader	18	6%	11%	50%
2	3	MADF03	Telecom/Network Tech III	27	7%	11%	33%
1	1	MADZ21	Sr. Systems Software Specialist	8	13%	13%	0%
0	0	MADZ27	DHSS Info Security Police Officer	1	0%	0%	0%
1	0	MCAB02	Senior Custodial Worker	2	50%	0%	-100%
1	1	MCBD02	Senior Food Service Worker	6	17%	17%	0%
1	0	MCCZ13	Electrical and Mechanical Super.	1	100%	0%	-100%
0	0	MCCZ27	Master Electrician	3	0%	0%	0%
2	0	MDAB01	Epidemiologist I	4	50%	0%	-100%
2	3	MDAB02	Epidemiologist II	13	15%	23%	33%
1	1	MDAB03	Epidemiologist III	3	33%	33%	0%
0	0	MDAB04	Epidemiologist IV	2	0%	0%	0%
4	9	MDCD01	Nursing Assistant	30	13%	30%	56%
75	107	MDCD02	Certified Nursing Assistant	304	25%	35%	30%
7	7	MDCZ02	Dental Assistant	8	88%	88%	0%
0	0	MDDZ46	Paramedic Administrator	1	0%	0%	0%
2	3	MDEA01	Dentist	3	67%	100%	33%
1	1	MDEB01	Physician	3	33%	33%	0%
1	1	MDEB02	Chief Physician	3	33%	33%	0%
2	2	MDEC03	Psychiatrist III	8	25%	25%	0%
2	2	MDEC04	Chief Psychiatrist	2	100%	100%	0%
0	0	MDFA01	Nutritionist I	12	0%	0%	0%
1	2	MDFA02	Nutritionist II	5	20%	40%	50%
0	1	MDFA03	Nutritionist III	5	0%	20%	100%

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HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
4	3	MDGA01	Licensed Practical Nurse I	4	100%	75%	-33%
1	3	MDGA02	Licensed Practical Nurse II	4	25%	75%	67%
17	25	MDGA03	Licensed Practical Nurse III	66	26%	38%	32%
4	5	MDGB01	Registered Nurse I	6	67%	83%	20%
5	4	MDGB02	Registered Nurse II	8	63%	50%	-20%
63	80	MDGB03 MDGY03	Registered Nurse III	212	30%	38%	21%
7	4	MDGB04 MDGY04	Nursing Supervisor	54	13%	7%	-43%
3	4	MDGB05	Advanced Practice RN	16	19%	25%	25%
0	2	MDGB06 MUDG04	Asst. Director of Nursing	6	0%	33%	100%
0	0	MDGB07	Nursing Administrator	2	0%	0%	0%
4	4	MDGZ01	Nurse Consultant	7	57%	57%	0%
10	11	MDGZ02	Compliance Nurse	23	43%	48%	9%
2	2	MDIA01	Psychologist	10	20%	20%	0%
1	1	MDKA01	Therapy Assistant	3	33%	33%	0%
1	0	MDKA04	Therapist III	4	25%	0%	-100%
0	0	MUDE01	Dental Director	1	0%	0%	0%
1	0	MUDG01	Nursing Director	4	25%	0%	-100%



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**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MACE02	Trainer/Educator III	10	120	12	81	8
MACZ10	Teacher (DHSS/DVI)	N/A				
MADA04	Sr. Application Support Spec.	3	21	7	7	2
MADA05	App. Support Project Leader	3	18	6	7	2
MADF03	Telecom/Network Tech III	6	47	8	29	5
MADZ21	Sr. Systems Software Specialist	1	11	11		0
MADZ27	DHSS Info Security Police Officer	N/A				
MCAB02	Senior Custodial Worker	N/A				
MCBD02	Senior Food Service Worker	1	11	11	11	11
MCCZ13	Electrical and Mechanical Super.	N/A				
MCCZ27	Master Electrician	N/A				
MDAB01	Epidemiologist I	3	90	30	51	17
MDAB02	Epidemiologist II	9	146	16	27	3
MDAB03	Epidemiologist III	2	10	5	6	3
MDAB04	Epidemiologist IV	N/A				
MDCD01	Nursing Assistant	1	14	14	11	11
MDCD02	Certified Nursing Assistant	5	82	16	54	11
MDCZ02	Dental Assistant	N/A				
MDDZ46	Paramedic Administrator	N/A				
MDEA01	Dentist	N/A				
MDEB01	Physician	N/A				
MDEB02	Chief Physician	N/A				
MDEC03	Psychiatrist III	N/A				
MDEC04	Chief Psychiatrist	N/A				
MDFA01	Nutritionist I	1	4	4	2	2
MDFA02	Nutritionist II	1	5	5	3	3
MDFA03	Nutritionist III	2	4	2	3	2

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HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MDGA01	Licensed Practical Nurse I	2	22	11	5	3
MDGA02	Licensed Practical Nurse II	2	10	5	4	2
MDGA03	Licensed Practical Nurse III	2	13	7	5	3
MDGB01	Registered Nurse I	3	11	4	9	3
MDGB02	Registered Nurse II	4	11	3	3	1
MDGB03 MDGY03	Registered Nurse III	16	129	8	76	5
MDGB04 MDGY04	Nursing Supervisor	5	30	6	13	3
MDGB05	Advanced Practice RN	2	11	6	8	4
MDGB06 MUDG04	Asst. Director of Nursing	1	12	12	6	6
MDGB07	Nursing Administrator	2	1	1	1	1
MDGZ01	Nurse Consultant	1	1	1	0	0
MDGZ02	Compliance Nurse	5	109	22	85	17
MDIA01	Psychologist	N/A				
MDKA01	Therapy Assistant	5	0	0	0	0
MDKA04	Therapist III	N/A				
MUDE01	Dental Director	N/A				
MUDG01	Nursing Director	2	7	4	1	1

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 18**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MACE02	Trainer/Educator III	0%	40%	40%
MACZ10	Teacher (DHSS/DVI)	0%	5%	5%
MADA04	Senior Application Support Specialist	6%	10%	4%
MADA05	Application Support Project Leader (DHSS)	6%	6%	0%
MADF03	Telecommunications/Network Technician III (DHSS)	8%	16%	8%
MADZ21	Senior Systems Software Specialist (DHSS)	13%	0%	-13%
MADZ27	DHSS Information Security Police Officer (DHSS)	0%	0%	0%
MCAB02	Senior Custodial Worker	0%	0%	0%
MCBD02	Senior Food Service Worker	0%	0%	0%
MCCZ13	Electrical and Mechanical Supervisor	0%	0%	0%
MCCZ27	Master Electrician	0%	0%	0%
MDAB01	Epidemiologist I	0%	0%	0%
MDAB02	Epidemiologist II	0%	30%	30%
MDAB03	Epidemiologist III	0%	0%	0%
MDAB04	Epidemiologist IV	0%	0%	0%
MDCD01	Nursing Assistant	13%	5%	-8%
MDCD02	Certified Nursing Assistant	27%	25%	-2%
MDCZ02	Dental Assistant	62%	0%	-62%
MDDZ46	Paramedic Administrator	0%	0%	0%
MDEA01	Dentist	0%	0%	0%
MDEB01	Physician	0%	0%	0%
MDEB02	Chief Physician	0%	0%	0%
MDEC03	Psychiatrist III	17%	0%	-17%
MDFA01	Nutritionist I	0%	8%	8%
MDFA02	Nutritionist II	0%	29%	29%
MDFA03	Nutritionist III	0%	25%	25%
MDGA01	Licensed Practical Nurse I	50%	0%	-50%
MDGA02	Licensed Practical Nurse II	0%	75%	75%
MDGA03	Licensed Practical Nurse III	17%	11%	-6%
MDGB01	Registered Nurse I	50%	75%	25%
MDGB02	Registered Nurse II	18%	0%	-18%
MDGB03	Registered Nurse III	20%	18%	-2%
MDGB04	Nursing Supervisor	21%	6%	-15%
MDGB05	Advanced Practice Registered Nurse	14%	15%	1%
MDGB06	Assistant Nursing Director	0%	29%	29%
MDGB07	Nursing Administrator	0%	0%	0%
MDGY03	Registered Nurse III (Non-Union)	0%	0%	0%
MDGY04	Nursing Supervisor	0%	0%	0%
MUDG01	Nursing Supervisor	15%	22%	7%
MDGZ01	Nurse Consultant	55%	29%	-26%
MDIA01	Compliance Nurse	44%	0%	-44%
MDKA01	Therapy Assistant	13%	0%	-13%
MDKA04	Therapist III	40%	0%	-40%
MUDE01	Dental Director	0%	0%	0%

**STATE OF DELAWARE**  
**DEPARTMENT OF HEALTH AND SOCIAL SERVICES (DHSS)**  
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**Table 19**

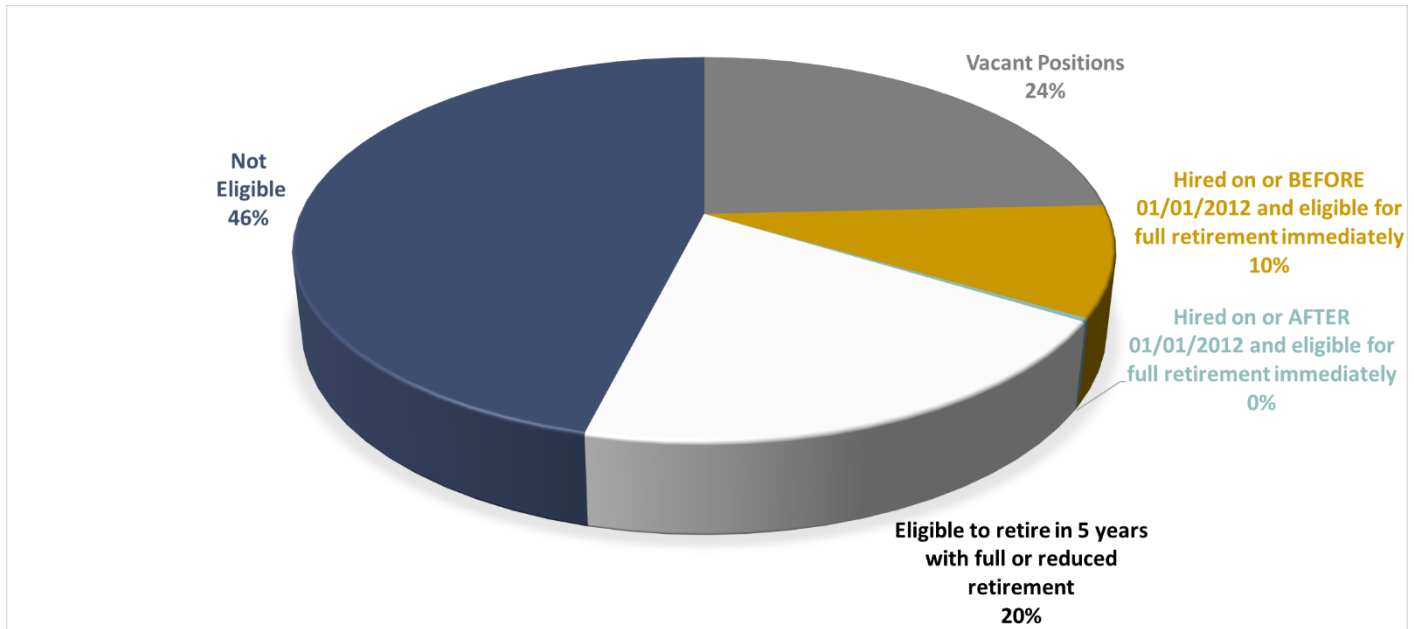
Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
350110100	DHSS/Office of the Secretar	12%	21%	9%
350110110	DHSS/Office of the Secretar	0%	33%	33%
350120200	DHSS/Administration	8%	22%	14%
350120210	DHSS/Administration	29%	12%	-17%
350120220	DHSS/Administration	7%	6%	-1%
350130300	DHSS/Admin/Facility Operati	20%	15%	-5%
350130310	DHSS/Admin/Facility Operati	20%	28%	8%
350201100	DHSS/Medicaid & Medical Ass	16%	14%	-2%
350201110	DHSS/Medicaid & Medical Ass	5%	18%	13%
350510100	DHSS/PH/Dir Ofc/Supprt Svs	0%	25%	25%
350510110	DHSS/PH/Dir Ofc/Supprt Svs	19%	21%	2%
350520200	DHSS/PH/Community Health	15%	31%	16%
350520210	DHSS/PH/Community Health	11%	18%	7%
350520220	DHSS/PH/Community Health/CD	0%	32%	32%
350520230	DHSS/PH/Community Health/CD	-100%	10%	110%
350530310	DHSS/PH/Emergency Medical S	0%	46%	46%
350610100	DHSS/SAMH/Administration	10%	19%	9%
350620200	DHSS/SAMH/Communtiy Mentl HI	17%	11%	-6%
350620210	DHSS/SAMH/Communtiy Mentl HI	22%	25%	3%
350630300	DHSS/SAMH/DEL Psychiatric C	8%	24%	16%
350630310	DHSS/SAMH/Del Psychiatric C	17%	14%	-3%
350630320	DHSS/SAMH/Del Psychiatric C	18%	15%	-3%
350630350	DHSS/SAMH/Del Psychiatric C	22%	36%	14%
350640400	DHSS/SAMH/Substance Abuse	0%	0%	0%
350640410	DHSS/SAMH/Substance Abuse	24%	14%	-10%
350640420	DHSS/SAMH/Substance Abuse	17%	15%	-2%
350701100	DHSS/Social Services	8%	16%	8%
350701110	DHSS/Social Services	4%	13%	9%
350801100	DHSS/Visually Impaired	0%	17%	17%
350801120	DHSS/Visually Impaired	0%	11%	11%
350801140	DVI NCC Teachers	0%	12%	12%
350801150	DVI KS Teachers	0%	0%	0%
350901100	DHSS/Health Care Quality	31%	33%	2%
350901110	DHSS/Health Care Quality	6%	18%	12%
351001100	DHSS/Child Support Services	6%	15%	9%
351001110	DHSS/Child Support Services	3%	20%	17%
351110100	DHSS/Developm Disabil/Admin	15%	18%	3%
351110110	DHSS/Developm Disabil/Admin	2%	27%	25%
351120200	DHSS/DD/Stockley Center	10%	28%	18%
351120210	DHSS/DD/Stockley Center	30%	46%	16%
351130300	DHSS/DD/Community Services	20%	20%	0%
351130310	DHSS/DD/Community Services	16%	29%	13%
351230100	DHSS/SSC/State Service Cent	15%	25%	10%
351230110	DHSS/SSC/State Service Cent	12%	31%	19%
351401100	DHSS/SrvAgAdPhyDis/AdmnComm	22%	19%	-3%
351401110	DHSS/SrvAgAdPhyDis/AdmnComm	12%	9%	-3%
351420200	DHSS/Hosp for the Chronc II	13%	20%	7%
351420210	DHSS/Hosp for the Chronc II	24%	19%	-5%
<b>Department Average</b>		<b>10%</b>	<b>20%</b>	<b>11%</b>

**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count. *Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Office of the Secretary and Management Services (DMS)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
585	492	93	73	3	126	290
<b>Medicaid and Medical Assistance (DMMA)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
198	178	20	0	0	48	130
<b>Public Health (DPH)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
810	586	224	77	2	121	386
<b>Substance Abuse and Mental Health (DSAMH)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
573	427	146	45	3	123	256
<b>Social Services (DSS)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
391	342	49	34	0	81	227
<b>Visually Impaired (DVI)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
124	59	65	8	1	20	30
<b>Health Care Quality (DHCQ)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
69	51	18	0	0	0	51
<b>Child Support Services (DCSS)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
181	155	26	27	0	45	83
<b>Developmental Disabilities Services (DDDS)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
410	288	122	38	1	76	173
<b>State Service Centers (DSSC)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
113	92	21	9	1	29	53
<b>Services for Aging and Adults with Physical Disabilities (DSAAPD)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
113	95	18	16	0	27	52
<b>Long-Term Care (DLTC)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	the	Not Eligible
510	324	186	52	1	123	148
<b>Department of Health and Social Services Totals</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
4077	3089	988	379	12	819	1879

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

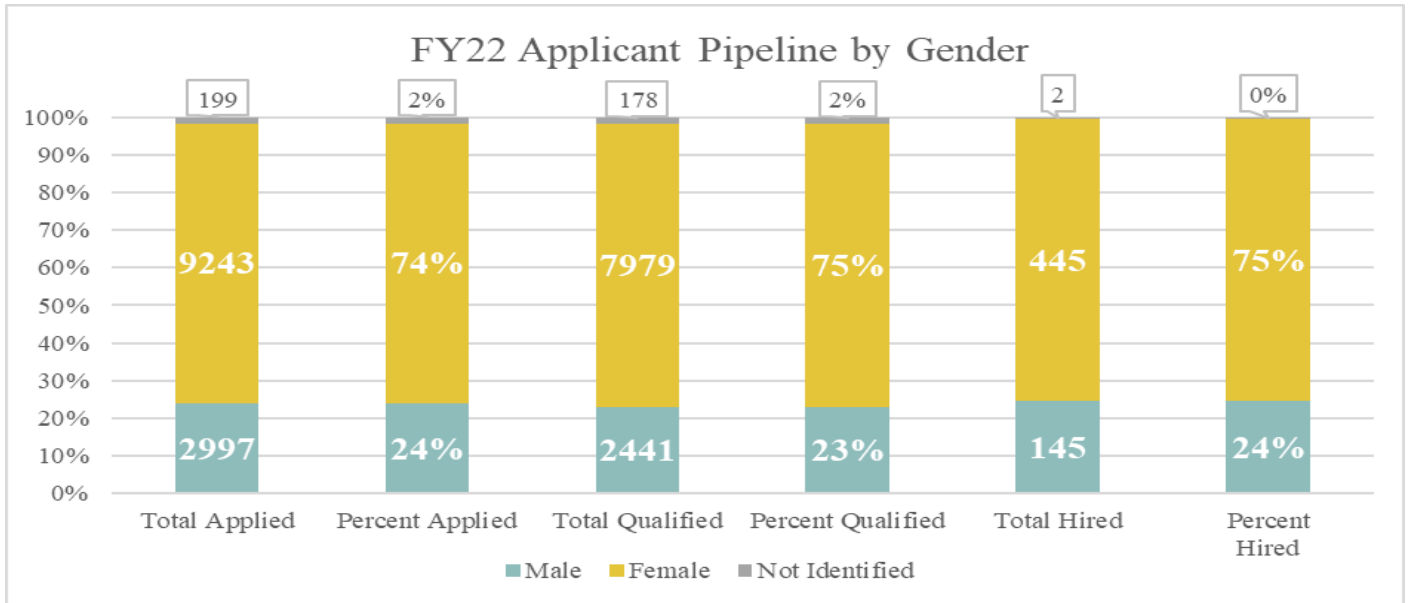
Table 21 data were obtained from the PHRST system as of 06/30/2022.

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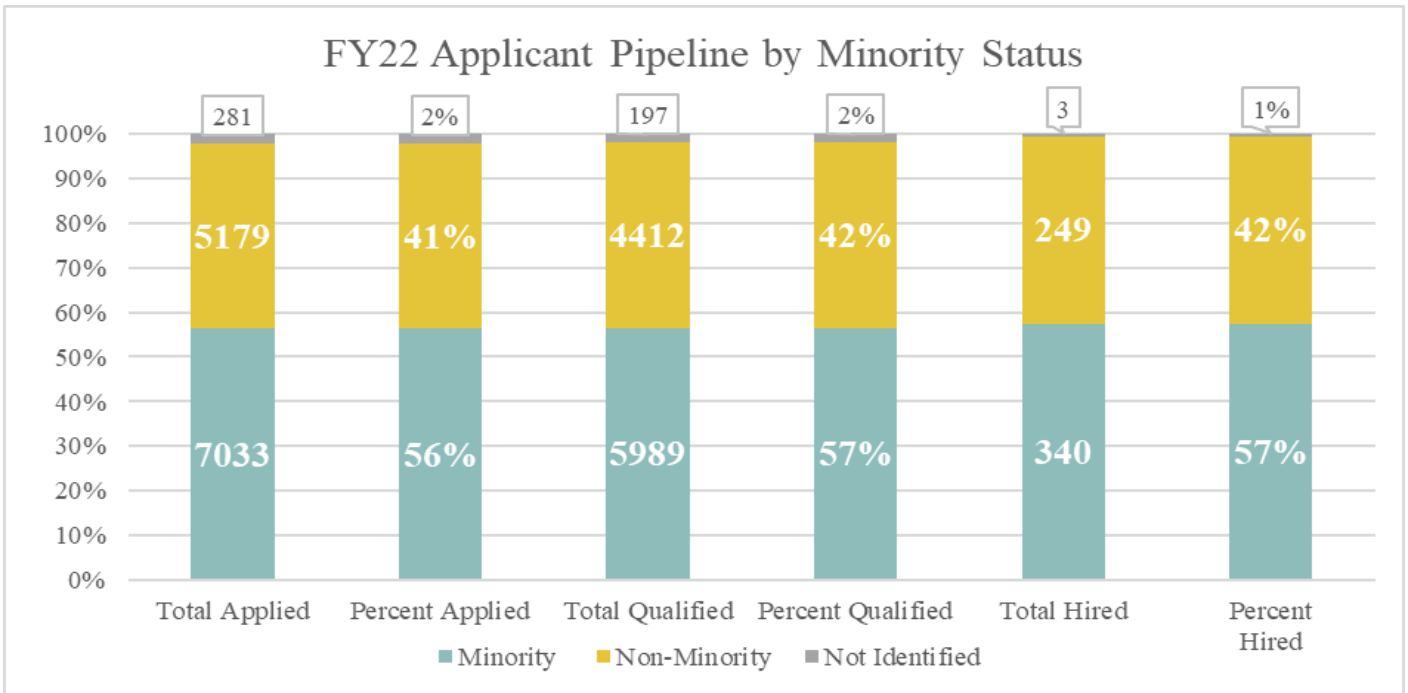
**Applicant Pipeline**

In FY22, 12,439 people applied online to DHSS jobs, an 18% decrease from FY21 in which 15,103 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	102	63
FY22	83	165
Change FY21 vs FY22	-19	102

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	5	10
FY22	5	3
Change FY21 vs FY22	0	-7

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time the referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*



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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Succession Planning	Ability to continue operations while experiencing employment gaps.	Division Directors and subsequent leadership staff.	Employees encourage staff input on processes or quality improvements.	Completed; ongoing initiative.
SP-1 Goal 2	Open Communication	Ability to resolve staff concerns, work-related or as it relates to others.	Division Directors and subsequent leadership staff.	Division Directors & leadership continue to act as role models and inform employees on their rights and state policies; e-newsletters to staff; continue Town Halls	Completed; ongoing initiative.
SP-1 Goal 3	Fill vacant positions and reclassifications in a timely way.	Reclassification requests will be documented to DHR and completed by DHR within 60 days.	DHSS Chief of Staff Office of the Secretary and DHR - DHSS HR Director	DHR-DHSS Director will provide a clear template and direction for DHSS to use in documenting staffing requests and reclassifications to ensure speedy processing within DHR.	January 2023

**STATE OF DELAWARE**  
**DEPARTMENT OF HEALTH AND SOCIAL SERVICES (DHSS)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.\*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Improve Trauma Awareness	The ability to promote resilience among staff and personnel that the department serves	Division Directors and subsequent leadership.	DHR & DLC policies, training, ComPsych, outside training.	Completed & ongoing initiative.
SP-2 Goal 2	Increase DHSS management and leadership capability to engage, motivate and retain its workforce.	Employee pulse survey feedback conducted per each DHSS division with an initial targeted 80% favorable rating by no later than December 1, 2023.	DHSS Chief Transformation Officer, Division Directors, and subsequent leadership.	Management and leadership academy designed for DHSS Division leaders and subsequent managers. DHSS internal survey feedback tools.	Leadership academy designed by November 31, 2022, and launched by February 1, 2023, with pre- and post-employee pulse surveys conducted
SP-2 Goal 3	Update the DHSS performance review process to introduce a 360-degree component focused on supervisor and management effectiveness.	Supervisor and management effective ratings on DHSS employee pulse surveys meet an initial targeted rating of at least 75% effectiveness within the year one rating timeframe.	DHSS Chief Transformation Officer, DHSS Chief of Staff, Division Directors, and subsequent leadership.	Ability to have DHR’s support in the redesign of the DHSS performance review process with a DHSS pilot of management and supervisory 360-degree pilot.	Process design and pilot support were attained by March 15, 2023, with the initial trial implemented by May 30, 2023.

**STATE OF DELAWARE**  
**DEPARTMENT OF HEALTH AND SOCIAL SERVICES (DHSS)**  
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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Improve employee development for promotional opportunities.	Ability to retain and promote existing staff.	Division Directors & subsequent leadership.	DLC; DHSS Leadership Academy; Employees- job shadowing & cross training.	Completed; & ongoing initiative.
SP-3 Goal 2	All DHSS employees are trained on components of the MS Teams platform to increase their abilities to effectively use MS teams while working remotely and on-site.	Beginner, intermediate and advanced MS Teams training offered online to DHSS employees.	DHSS Chief Transformation Officer, Division Directors, and subsequent leadership.	Director of IT to provide ready-built training modules, DHR Learning Center to provide employee access and training administration.	February 28, 2023



## Delaware National Guard (DNG)

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### FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022



**State of Delaware**  
**DEPARTMENT of NATIONAL GUARD**

**MEMORANDUM**

To: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

From: Michael R. Berry, Major General  
Secretary, Department of National Guard

Date: December 13, 2021

Subject: Department of National Guard  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

Date: December 13, 2023

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Please find attached the Department of National Guard report that includes FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace. If you have any questions, please contact me at 302-326-7001 or [michael.r.berry8.mil@army.mil](mailto:michael.r.berry8.mil@army.mil).


Thank you.

Enclosures

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**STATE OF DELAWARE**  
**DELAWARE NATIONAL GUARD (DNG)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

**STATE OF DELAWARE  
DELAWARE NATIONAL GUARD (DNG)  
FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.  
Rev. Date: 7/25/2022**

The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

**STATE OF DELAWARE  
DELAWARE NATIONAL GUARD (DNG)  
FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.  
Rev. Date: 7/25/2022**

- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.



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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)). Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will ill share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Employee and Labor Relations
- **Policy Administrator:** Director of the Division of Employee and Labor Relations
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

BERRY.MICHAEL.R  
OBERT.1045097036

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BERRY.MICHAEL.R  
OBERT.1045097036  
Date: 2022.12.20 14:07:29 -0500

12/20/22

Michael R. Berry, Major General  
Secretary, Department of National Guard

Date



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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**State Mission:** When Delaware National Guard (DNG) units are not mobilized or under federal control, they report to the Governor of Delaware. Under state law, the National Guard provides protection of life, property and preserves peace, order, and public safety. These missions are accomplished through emergency relief support during natural disasters such as floods, earthquakes, and forest fires; search and rescue operations; support to civil defense authorities; maintenance of vital public services and counterdrug operations. The NG also adds value to local communities through engineering projects provided under the Innovative Readiness Training program, and mentors at-risk youth through our Youth Challenge program.

**Federal Mission:** The Delaware National Guard’s federal mission is to maintain properly trained and equipped units, available for prompt mobilization for war, national emergency, or as otherwise needed. The Air and Army National Guard are partners with the Active Air Force and Army and the Army and Air Force Reserves in fulfilling the country’s military needs. During an average year, Soldiers and Airmen are pulled for duty in more than 80 countries in a wide variety of operations including peacekeeping, stabilization, security, nation-building, etc. DE National Guard units may be activated in several ways as prescribed by public law. Most Federal Mission operations laws are in Title 10 of the U.S. Code. When serving under Title 10, “active duty” means full-time duty in the active military service of the United States. Title 10 allows the President to “federalize” National Guard forces by ordering them to active duty in their reserve component status or by calling them into Federal service in their militia status.

National Guard Bureau Mission, Vision, and Values

**Mission:** To create and sustain an organization dedicated to mission effectiveness, valuing diversity and inclusion, and ensuring each individual has the opportunity, guidance, and information to reach maximum potential.

**Vision:** To achieve an organizational culture that values diversity and inclusion as highly as personnel strength, training, readiness, and combat effectiveness.

**Values:** Army: Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, Personal Courage  
Air Force: Integrity, Service before Self, Excellence in All We Do

**Principle:** The DNG

- Must be a diverse team, representative of the state it serves and the nation it defends.
- Needs leaders and a workforce equipped with diverse cultural awareness and competencies to execute the mission globally.
- Envisions a culture that values, measures, and promotes the fairness, dignity, and worth of every member as a measure of enhancing readiness.
- Requires all Soldiers, Airmen, and civilians to be responsible for applying and adhering to these diversity and inclusion principles.

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As Adjutant General (TAG), I recognize that an effective and efficient agency requires the talents, skills, and abilities of all qualified and available individuals, and seeks opportunities to promote diversity and inclusion at all occupational levels of our agency’s workforce through equal employment opportunity (EEO) workforce planning initiatives.

DNG Human Resource Office (HRO) is committed to ensuring the administration and implementation of all human resources policies, practices and programs are fair and equitable without unlawful discrimination, harassment, or retaliation based on race, religion, color, national origin, ethnicity, sex, pregnancy, gender identity or expression, sexual orientation, age (40 or older), political affiliation, National Guard or veteran status, genetic information, or disability.

This report encompasses an analysis of statistical and demographical data for the Fiscal Year 2022 (FY-22) (July 1, 2021 – June 30, 2022). This report also reflects the achievements and measures the progress towards equal opportunity in the DNG.

During FY-22, DNG gained 10 employees from outside of DNG, and 3 from internally. During FY-22, the DNG lost 23 employees due to removal, resignation, retirement, temporary or term appointment, or transfer to another State Agency.

The number of formal complaints filed against the DNG decreased in FY-22. There were no formal complaints filed in FY-22, as compared to one in FY21.

There were 14 awards during FY-22. Of which 9 employees received Time Off (328 hours), 3 Sustained Superior Performance (\$5000), and 2 Quality Step Increases. With respect to Time Off Awards, there were 13 awards (520 hours), 5 Sustained Superior Performance (\$10,000), and 2 Quality Step Increases during FY21.

Supervisors and managers have a mandatory EEO element incorporated in their performance standards.

DNG is committed to providing reasonable accommodations to applicants and employees who need them because of a disability or to practice or observe their religion, without undue hardship.

Work with Delaware Learning Center continuous to ensure our employees receive the necessary EEO training that all state employees are required to complete. In addition, during onboarding, all new hires complete training on Preventing Harassment, Discrimination and Retaliation Policy, as well as compliance and business ethics, and existing employees must complete the training periodically.

Throughout the DNG, EEO staff members have made EEO information readily available to all employees and applicants for employment. Our leadership and staff recognize the requirement to maintain awareness of modified legislation, EEOC guidance, and Executive Orders. Information is posted throughout all facilities and information can be found on our local intranet.

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<b>DELAWARE NATIONAL GUARD STATE PERSONNEL ROLL-UP</b>						
	<b>Authorized</b>	<b>Appointed</b>	<b>Vacancy</b>	<b>Temporary</b>	<b>Casual/Seasonal</b>	<b>NDS</b>
Adjutant General	1	1	0	0	0	0
Command Group	5	5	0	0	0	5
Comptroller's	5	6	1	0	1	6
Human Resources	2	2	0	0	0	2
Anti-Terrorism/Force Protection	1	1	0	0	0	1
Family Readiness	3	3	0	0	0	3
Construction Facility Management	30	26	-4	0	0	17
Environmental - Army	4	4	0	0	0	4
Electronic Security Service	1	1	0	0	0	1
Security Police	21	16	-5	3	0	0
Firefighter	30	25	-5	2	0	8
Civil Engineers	17	12	-5	0	0	3
Environmental - Air	1	0	-1	0	0	0
<b>Totals</b>	<b>121</b>	<b>102</b>	<b>-19</b>	<b>5</b>	<b>1</b>	<b>50</b>

DNG consists of 71 dual-status and 50 non-dual-status employees for a total of up to 121. This Equal Employment/Affirmative Action (EEO/AA) Plan relates directly to these State Employees. Of the 121 authorized DNG employees, 112 employees are eligible for EEO-4 Reporting.

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## Responsibilities for Implementation

### Responsibilities Statement:

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**Adjutant General:** Responsible for providing executive leadership and oversight to ensure DNG adheres to the policies and programs that have been adopted by the State Department of Human Resources and approved by the governor and takes actions as necessary to achieve and implement the plan's goals and objectives. Furthermore, TAG is charged with ensuring that all employment practices and all aspects of the employment function within the organization are implemented in a manner that is equal for all applicants and employees and consistent with State and Federal policy.

**Director, Human Resources:** Shall take affirmative action to ensure that qualified protected class individuals are encouraged to aspire for promotion and are considered as promotional opportunities arise. Prepare and analyze strategies for outreach efforts, recruiting and selection efforts, hiring, promotions, and disciplinary issues that pertain to implementing the plan. Make efforts to retain a diverse workforce at every level in the organization. Responsible for a concerted effort to recruit, hire, onboard, and retain diverse employees.

**State Equal Employment Manager (SEEM):** The position is in the Human Resources Office (HRO), Equal Employment Opportunity Branch. This position is under the general supervision of the Human Resources Officer (HRO), with direct access and advisory responsibility to TAG on all EEO and diversity management issues. The position's purpose is to provide guidance and advice to the Adjutant General, senior commanders, and managers on statutory requirements relating to the entire EEO program. SEEM is the principal point of contact with the National Guard Bureau's Office of Equal Opportunity (NGB-EO) and the local district office of the Equal Employment Opportunity Commission (EEOC). SEEM communicates with senior leaders to ensure Diversity, EEO, Leadership, and Compliance is supported throughout DNG. Proactive strategies are incorporated into the EEO/AA Plan. By doing so, the strategy to raise awareness in diversity, equity, and inclusion in all decisions becomes a sustainable goal.

In conjunction with the State of Delaware's EEO/AA Plan and Department of Defense (DoD) sections of equal opportunity, all full-time DNG personnel matters involving equal opportunity and treatment benefit from DoD's affirmative employment program managed by the SEEM.

Information regarding the EO/EEO/AAP is available by contacting:



**Mr. Mark A. Smith**  
**State Equal Employment Manager (SEEM)**  
[mark.a.smith6.civ@army.mil](mailto:mark.a.smith6.civ@army.mil)  
**302-326-7262**

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**STATE PERSONNEL MANAGER:** Reviews semi-annual assessment reports on the recruitment and employment processes to ensure strategies and goals are being met. Ensure that all personnel involved in the employment process shall be trained to ensure that the commitments in the departments' affirmative action efforts and implementation plan can be executed. Shall ensure job descriptions and other employment practices and policies will be periodically reviewed to ensure qualification requirements and essential job functions do not discriminate against qualified protected class individuals involved in any employment process. Continue to collaborate with SEEM on issues and responsibilities that overlap to ensure that resolutions are handled at the lowest level. Meet periodically with the State of Delaware Department of Human Resources Office and other stakeholders involved in the strategic planning process. File appropriate reports providing updates to the DNG and State of Delaware Department of Human Resources Office as necessary. Monitor and provide reasonable accommodations to qualified employees or applicants with disabilities to assure that individuals with disabilities experience full access to equal employment opportunities without undue hardship.

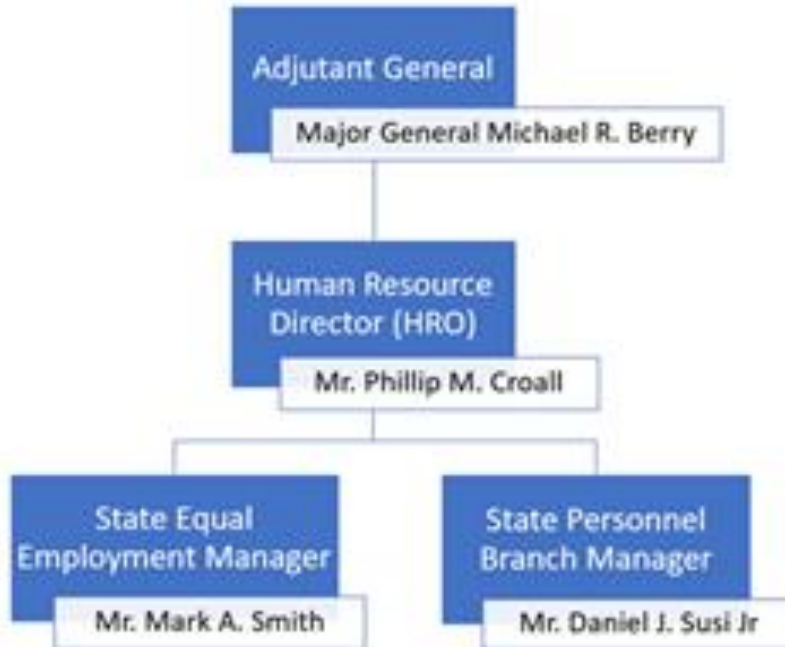
**DIRECTORS, MANAGERS, AND SUPERVISORS:** Responsible for promoting equal employment opportunity and making good faith efforts to achieve affirmative action goals. Responsible for setting clear expectations that discriminatory practices are prohibited and taking prompt, effective steps to eliminate such practices. Shall encourage qualified protected class individuals to aspire and prepare for promotional opportunities. Inform employees of the availability of the DNG Affirmative Action Plan maintained on the DNG internal website. If aware of a department employee engaging in any type of harassment, follow the procedures outlined in HRIL 2020-10, DNG Civilian Discrimination Complaint Process and contact DNG Human Resources.

**AGENCY EMPLOYEES:** Responsible for contributing to a work environment that is supportive of equal employment opportunities and affirmative action. Employees participate in the implementation of this plan and comply with the nondiscrimination and anti-harassment policies, as well as:

- Recognize and respect the differences for other employees, the public and stakeholders. Exhibit an attitude of respect, courtesy and cooperation toward all employees and the public we serve. Refrain from any actions that would adversely affect the performance of a coworker with respect to their race, sex, color, creed, religion, age, national origin, sexual orientation, disability, marital status, status regarding public assistance, familial status, gender identity, gender expression, political party affiliation and veterans' status.
- Participate in agency-sponsored diversity, equity and inclusion events, employee resource groups, equity and inclusion committees, advisory councils; encourage other employees to participate.
- Report any conduct in violation of the Department's policies against discrimination and harassment.
- Self-report, the only way for DNG to accurately report the diversity of the whole agency is for all employees to self-report their gender, ethnicity, disability, and veteran's status.
- Monitor state sponsored activities to ensure equal opportunity participation for all employees.
- Undertake measures designed to prevent harassment and/or discrimination of employees.
- Attend department Workforce Diversity and Sexual Harassment training.

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Delaware National Guard Diversity  
& Inclusion Organization Chart



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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Gain in-depth feedback from the workforce to impact the work environment for employees.	Quarterly monitoring of employee training & policy acknowledgment.	DNG Human Resources  Office of Equal Opportunity, Diversity & Inclusion	Regularly encourage them to provide feedback on their workplace environment.	Ongoing – 6/30/2022
SP-1 Goal 2	Employees are often unaware that their actions may be offensive to others.	No complaints were filed.	DNG Human Resources  Supervisors  Office of Equal Opportunity, Diversity & Inclusion	Support & facilitate learning & training opportunities.	Complete - 6/30/2022
SP-1 Goal 3	Resource equitable employee development & access to opportunities.	Eliminate barriers to employment opportunities for protected-class individuals.	DNG Human Resources  Office of Equal Opportunity, Diversity & Inclusion	Analyze groups by race & gender at various steps throughout the hiring process.	Completed quarterly.



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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Hold all managers & supervisors accountable to EEO & Diversity Principles.	FY22 Performance appraisal rating period completion.	Command Group  DNG Human Resources  Supervisors	Implement EEO & Diversity Principles into supervisor’s performance evaluations.	Complete – 6/30/2022
SP-2 Goal 2	Develop effective & accountable leadership for Advancement.	Increase employee sense of responsibility to advance	DNG Human Resources  Office of Equal Opportunity, Diversity & Inclusion	Develop measurable teams & individual goals that demonstrate achievement & establish track records of success for advancement.	Promote the establishment of measurable teams & individual goals.
SP-2 Goal 3	Diversity & EEO are foundations of an effective & productive agency.	Safe & harassment-free workplace functionally aligned with the agency’s vision, mission, goals, & objectives.	DNG Human Resources  Supervisors  Office of Equal Opportunity, Diversity & Inclusion	Provide sound guidance, promptly respond to EEO issues & recommend equitable dispute resolution.	Pending a semi-annual review & distribution of our updated EEO / AA Plan.

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Recruit personnel with disability & a more diverse workforce.	EEO – AA Talent Acquisition Report	Human Resource Officer & State Personnel Branch	Broaden the distribution of position announcements.	Ongoing
SP-3 Goal 2	Expand targeted recruitment of protected classes.	Outreach to the community & professional organizations.	Human Resource Officer, State Personnel Branch & Civil Engineer Squadron	Inquire with Delcastle Technical High School CO-OP.	Pending contract review & approval
SP-3 Goal 3	Identify & address barriers to employment & retention.	Standardization & removal of unnecessary barriers to employment.	Human Resource Officer, State Personnel Branch & State Equal Employment Manager	Draft climate, and employee attitude surveys.	Pending survey development

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**SECTION IV: WORKFORCE ANALYSIS**

**DNG Overview:**

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Delaware National Guard (DNG) is underrepresented for minorities in six EEO-4 categories. DNG has 112 employees & minorities represent 22% of the DNG workforce which includes 12% Black & 4% Hispanic. Females are underrepresented in four EEO-4 categories & makeup 20% of the DNG workforce with 5% of the entire workforce being both Female & Minority.

- DNG relies on recruiting 59%/71 positions of full-time employees from the military labor force in the National Guard based on the dual-status technician/Title 32 Excepted Service program requirements. This program requires the technician Title 32/excepted service employee to be a member of the Air or Army National Guard as a condition of employment.
- During FY22, DNG gained 10 employees from outside of DNG, 3 from internal. During FY22, the DNG lost 23 employees due to removal, resignation, retirement, temporary or term appointment, or transfer to another State Agency.
- The number of formal complaints filed against the DNG decreased in FY22. There were no formal complaints filed in FY22, as compared to one in FY21.
- There were 14 awards during FY22. Of which 9 employees received Time Off (328 hours), 3 Sustained Superior Performance (\$5000), and 2 Quality Step Increases. With respect to Time Off Awards, there were 13 awards (520 hours), 5 Sustained Superior Performance (\$10,000) and 2 Quality Step Increases during FY21.
- Work with Delaware Learning Center continuously to ensure our employees receive the necessary EEO training that all state employees are required to complete. In addition, during onboarding, all new hires complete training on Preventing Harassment, Discrimination and Retaliation Policy, as well as compliance and business ethics, and existing employees must complete the training periodically.
- We believe that a meaningful commitment to D&I requires dual and concurrent focus on individual behaviors and organizational systems to attract, develop and retain the best and brightest from all walks of life and genuinely committed to diversity and inclusion.
- Additional workshops and learning sessions designed to increase cultural competencies and skills in promoting equal opportunity.

In summary, given our unique and limited workforce, we must explore pathways to attract broader and diversified talent pools to onboard minorities into positions as vacancies occur. We will continue to develop our relationships with military groups, at military events, and by engaging our best resource to act as advocates in attracting diverse applicants to consider employment with DNG, our employees!

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**DNG Demographics at a Glance:**

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The total number of DNG employees as of June 30, 2022, by EEO-4 category is 112.

The DNG EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DNG workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DNG workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DNG does not hire in the Technicians EEO-4 category.

The following summary of findings were derived from this data:

**Minority Representation:**

- Minorities represent 22% of the total DNG workforce, a 2% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-25%)
  - Professionals (-18%)
  - Protective Services (-12%)
  - Office & Clerical (-19%)
  - Skilled craft (-9%)
  - Service Maintenance (-12%)

**Female Representation:**

- Females represent 21% of the total DNG workforce, a 4% increase from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-45%)
  - Office & Clerical (-2%)
  - Service Maintenance (-36%)

**Male Representation:**

- Males represent 79% of the DNG workforce, a 4% decrease from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Paraprofessional (-23%)
  - Office & Clerical (-22%)

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**EEO-4 Status Report FY2022  
(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	1	0	0	0	0	0	0	1	100%	0	0	0	0	0	0	0	0	0	0.00%	0	1	0	0%
2 Professionals	3	0	0	0	0	0	0	3	33%	3	5	1	0	0	0	0	0	6	67%	0	9	1	11%
3 Technicians	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
4 Protective Services	34	7	2	0	0	1	1	45	92%	1	3	0	1	0	0	0	0	4	8%	0	49	12	24%
5 Para Professional	0	0	0	0	0	0	0	0	0%	0	1	2	0	0	0	0	0	3	100%	1	3	2	67%
6 Office & Clerical	3	0	0	0	0	0	0	3	38%	0	4	0	1	0	0	0	0	5	63%	0	8	1	13%
7 Skilled Craft	21	3	1	0	0	1	0	26	87%	2	4	0	0	0	0	0	0	4	13%	0	30	5	17%
8 Service Maintenance	7	2	1	0	0	0	1	11	92%	1	1	0	0	0	0	0	0	1	8%	0	12	4	33%
<b>Totals</b>	<b>69</b>	<b>12</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>89</b>	<b>79%</b>	<b>7</b>	<b>18</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>23</b>	<b>21%</b>	<b>1</b>	<b>112</b>	<b>25</b>	<b>22%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity & gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022  
(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	0%	-25%	0%	0%	0%	0%	0%	0%
2 Professionals	29%	11%	-18%	11%	0%	0%	0%	0%	0%
3 Technicians	38%	0%	NA	0%	0%	0%	0%	0%	0%
4 Protective Services	37%	24%	-12%	14%	6%	0%	0%	2%	2%
5 Para Professional	34%	67%	33%	67%	0%	0%	0%	0%	0%
6 Office & Clerical	31%	13%	-19%	0%	13%	0%	0%	0%	0%
7 Skilled Craft	26%	17%	-9%	10%	3%	0%	0%	3%	0%
8 Service Maintenance	45%	33%	-12%	17%	8%	0%	0%	0%	8%

**Female Labor Market Representation FY2022  
(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category					
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian
1 Officials & Administrators	45%	0%	-45%	0%	0%	0%	0%	0%	0%
2 Professionals	59%	67%	8%	56%	11%	0%	0%	0%	0%
3 Technicians	50%	0%	NA	0%	0%	0%	0%	0%	0%
4 Protective Services	19%	8%	-11%	6%	0%	2%	0%	0%	0%
5 Para Professional	77%	100%	23%	33%	67%	0%	0%	0%	0%
6 Office & Clerical	65%	63%	-2%	50%	0%	13%	0%	0%	0%
7 Skilled Craft	6%	13%	8%	13%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	8%	-36%	8%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022  
(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category					
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian
1 Officials & Administrators	55%	65%	10%	48%	17%	0%	0%	0%	0%
2 Professionals	41%	42%	1%	36%	5%	0%	0%	0%	1%
3 Technicians	50%	86%	36%	55%	23%	0%	0%	0%	9%
4 Protective Services	81%	83%	3%	54%	21%	6%	1%	0%	1%
5 Para Professional	23%	0%	-23%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	13%	-22%	13%	0%	0%	0%	0%	0%
7 Skilled Craft	94%	0%	NA	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	75%	19%	75%	0%	0%	0%	0%	0%

Tables 2, 3, & 4 illustrate the variance between the Regional Labor Market & [AGENCY] demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, & EEO-4 job category.

Tables 2, 3, & 4 data were obtained from the PHRST system as of 06/30/2022.

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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	-20%	-25%	-25%
2 Professionals	-4%	-9%	-18%
3 Technicians	NA	NA	0%
4 Protective Services	-2%	-15%	-12%
5 Paraprofessional	1%	33%	33%
6 Office & Clerical	2%	-21%	-19%
7 Skilled Craft	-16%	-19%	-9%
8 Service Maintenance	8%	-3%	-12%

**Table 6** **Female Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	-44%	-45%	-45%
2 Professionals	16%	11%	8%
3 Technicians	NA	NA	0%
4 Protective Services	-21%	-15%	-11%
5 Paraprofessional	-17%	23%	23%
6 Office & Clerical	-20%	-25%	-2%
7 Skilled Craft	5%	4%	8%
8 Service Maintenance	-35%	-36%	-36%

**Table 7** **Male Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	44%	45%	45%
2 Professionals	-16%	-11%	-8%
3 Technicians	NA	NA	0%
4 Protective Services	21%	15%	11%
5 Paraprofessional	17%	-23%	-23%
6 Office & Clerical	20%	25%	2%
7 Skilled Craft	-5%	-4%	-8%
8 Service Maintenance	35%	36%	36%

**Tables 5, 6, & 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market & Executive Branch demographics for minorities, females, & male employees by EEO-4 job category.

*Tables 5, 6, & 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

**Table 8**

**DNG HAD ZERO COMPLAINTS IN FY22**

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**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, & resolution.

*Table 8 data were obtained from agency internal records during FY22.*



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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	0	0%	0	0%	0%
Total Female Minority Disciplines	0	0%	0	0%	0%
Total Male Non-Minority Disciplines	3	75%	0	0%	-100%
Total Male Minority Disciplines	1	25%	0	0%	-100%
<b>Total Disciplines</b>	<b>4</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>-100%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	0	0%	1	0%	100%
Total Female Minority Separations	1	5%	3	0%	67%
Total Male Non-Minority Separations	11	55%	20	0%	45%
Total Male Minority Separations	8	40%	5	0%	-38%
<b>Total Separations</b>	<b>20</b>	<b>100%</b>	<b>29</b>	<b>0%</b>	<b>31%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	3	9%	4	11%	25%
Total Female Minority New Hires	3	9%	3	9%	0%
Total Male Non-Minority New Hires	16	50%	19	54%	16%
Total Male Minority New Hires	10	31%	9	26%	-10%
<b>Total New Hires</b>	<b>32</b>	<b>100%</b>	<b>35</b>	<b>100%</b>	<b>9%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	5	22%	3	19%	-40%
Total Female Minority Promotions	6	26%	1	6%	-83%
Total Male Non-Minority Promotions	5	22%	8	50%	38%
Total Male Minority Promotions	7	30%	4	25%	-43%
<b>Total Promotions</b>	<b>23</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>-30%</b>

**Table 9** displays the total number of disciplines, separations, new hires, & promotions by gender & minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

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**SECTION VII: EMPLOYEE ENGAGEMENT**

**Table 10**

TUITION REIMBURSEMENT SUMMARY	
	Number
Total Non-Minority Female	18
Total Minority Female	14
Total Non-Minority Male	76
Total Minority Male	16
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>124</b>

**Table 10** display the total number of attendees for D&I-related training courses by gender and minority status.

*Table 10 data were obtained from agency internal records as of 06/30/2022.*

**Table 11**

TUITION REIMBURSEMENT SUMMARY	
	Number
Total Non-Minority Female	2
Total Minority Female	2
Total Non-Minority Male	15
Total Minority Male	5
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>24</b>

**Table 11** illustrates the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 11 data were obtained from agency internal records as of 06/30/2022.*

**Table 12**

DISABILITIES SUMMARY	
	Number
Total Employees Self-Identified or Disclosed	8
Total Requests for Accommodations	1
Total Requests Accomodated	1
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

**Table 13** illustrates the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program.

*Table 13 data were obtained from agency internal records, PHRST, and the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 14**

EXIT SURVEY SUMMARY						
	EXCELLENT	GOOD	AVERAGE	BELOW	POOR	TOTAL
Agency as a place to work	27%	73%	0%	0%	0%	100%
	4	11	0	0	0	15
Opportunity for advancement or promotion	7%	47%	27%	20%	0%	100%
	1	7	4	3	0	15
Recognition of accomplishments/contributions	20%	60%	13%	7%	0%	100%
	3	9	2	1	0	15
Relationships with co-workers	47%	47%	0%	7%	0%	100%
	7	7	0	1	0	15
Relationship with your manager/supervisor	60%	13%	13%	7%	7%	100%
	9	2	2	1	1	15
Agency commitment to quality and customer service	13%	73%	13%	0%	0%	100%
	2	11	2	0	0	15
Work area tools available to perform the functions of your job	27%	27%	27%	13%	7%	100%
	4	4	4	2	1	15
Performance goals were clear and you knew what was expected of you in your job	40%	40%	7%	7%	7%	100%
	6	6	1	1	1	15
Training and development needs were assessed and met	33%	40%	7%	20%	0%	100%
	5	6	1	3	0	15
Benefits package	33%	53%	13%	0%	0%	100%
	5	8	2	0	0	15
Compensation	14%	57%	14%	14%	0%	100%
	2	8	2	2	0	14
Family-Friendly Workplace	40%	40%	13%	0%	7%	100%
	6	6	2	0	1	15

**Table 14** illustrates Exit Survey Summary data for employees who left the Department & were willing to provide responses.

*Table 14 data were obtained from the employee responses provided on an online survey during FY22.*

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**SECTION XIII: RECRUITMENT & RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 15**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
0	1	N84531	Institutional Security	23	0%	4%	100%
4	5	N82691	Fire Protection	32	13%	16%	20%

**Table 16**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
N84531	Institutional Security	2	6	3	4	2
N82691	Fire Protection	5	38	8	37	7

**Tables 15 & 16** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, & the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 15 data were obtained from the PHRST system as of 06/30/2022.*

*Table 16 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

**Table 17**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
760101001	Delaware National Guard	18%	0%	-18%

**Table 18**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
N84531	Institutional Security	29%	0%	-29%
N82691	Fire Protection	19%	0%	-19%

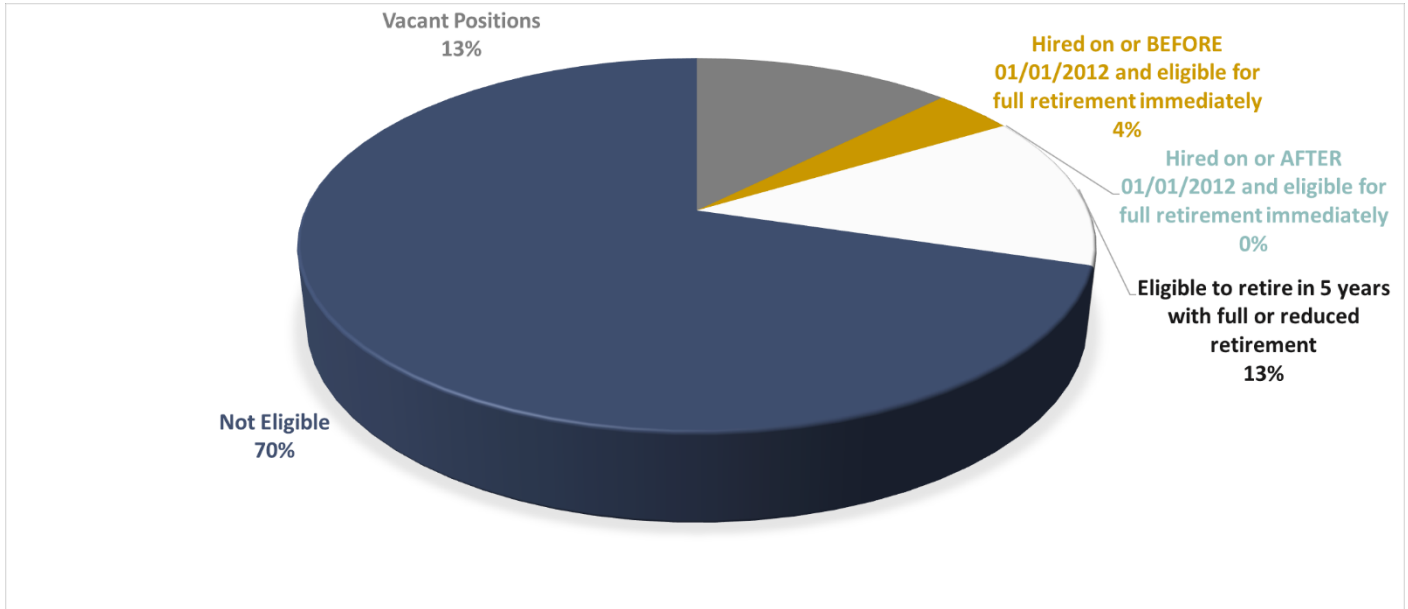
**Tables 17 & 18** display employee turnover rates by Division & Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 17 & 18 data were obtained from the PHRST system as of 06/30/2022.*

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) & has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) & has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) & has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) & has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

Total # Positions	Delaware National Guard					Not Eligible
	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	
<b>128</b>	<b>112</b>	<b>16</b>	<b>5</b>	<b>0</b>	<b>17</b>	<b>90</b>

**Table 21** illustrates the total number & percentage of positions by Division based on their retirement eligibility status.

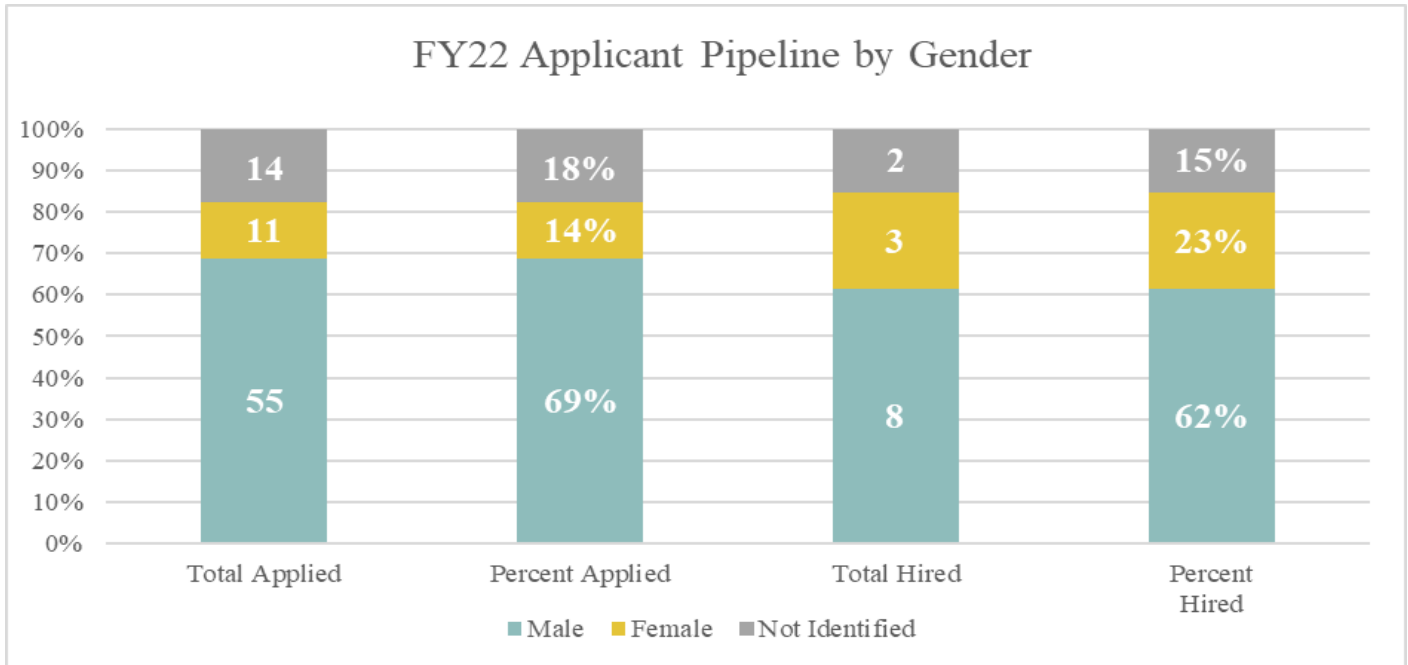
Table 21 data were obtained from the PHRST system as of 06/30/2022.

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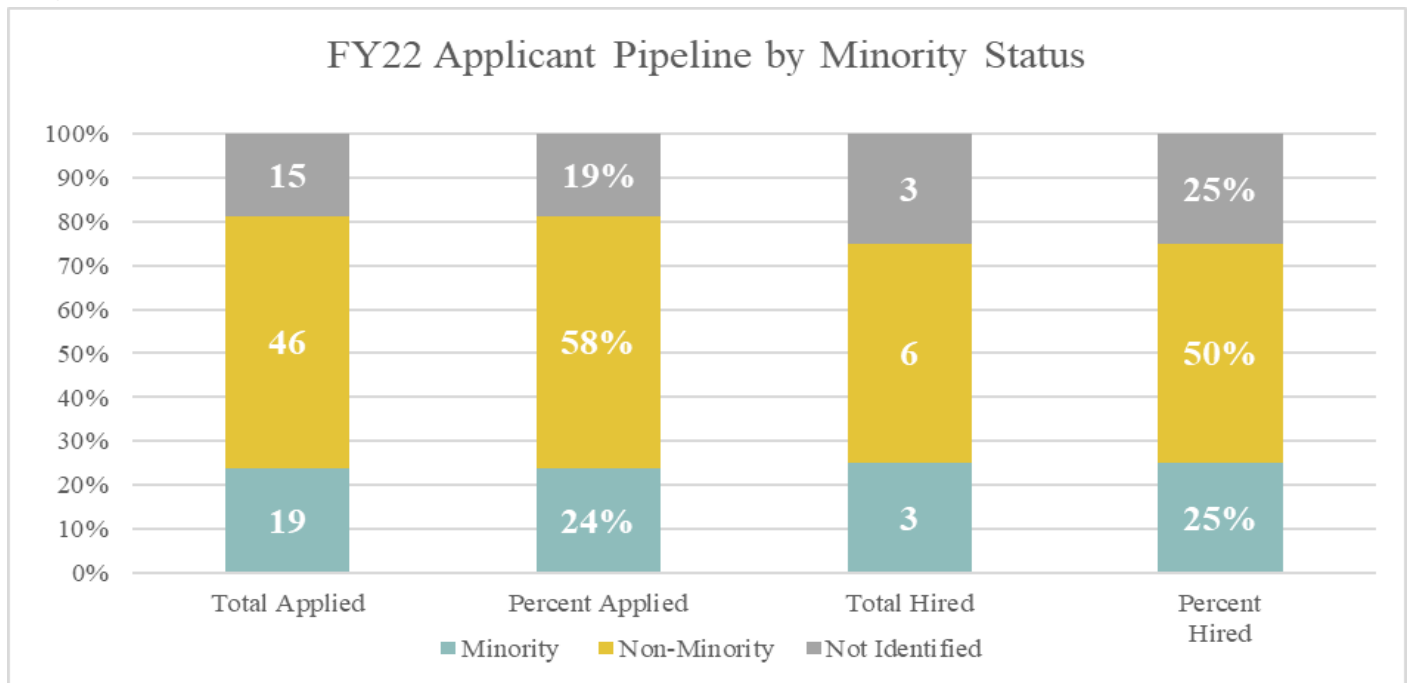
**Applicant Pipeline**

In FY22, 80 people applied online to DNG jobs, an 42% decrease from FY21 in which 139 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)
FY21	85
FY22	61
Change FY21 vs FY22	-24

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs & *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.

*Table 24 data were obtained from the DNG Human Resources Office as of 06/30/22.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, & Culture**

Foster an equitable & inclusive environment that recognizes the value of diversity among all employees working on-site & remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, & workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Ensure every employee can develop & excel in their career & recognize & reward high performers.	Pre & post data from the Office of Equal Opportunity, Diversity & Inclusion.  Staff feedback	DNG Human Resources  Supervisors  Office of Equal Opportunity, Diversity & Inclusion	Outline expectations & consequences for behavior that does not align with DNG policy &/or core values.	January 2023
SP-1 Goal 2	Access to Opportunities.  Prioritize equitable access & fair distribution of resources/opportunities.	New & improved policies & guidelines for ensuring the fair distribution of resources & opportunities.	DNG Human Resources  Supervisors  Office of Equal Opportunity, Diversity & Inclusion	Identify, evaluate, & address any current barriers to equitable access to opportunities.	January 2023
SP-1 Goal 3	Mentorship  Build a culture where mentorship is encouraged & utilized by staff to foster inclusion, personal enrichment, & professional growth.	Career advancement opportunities.  Higher retention rates.  More favorable perception of the organization.	DNG Human Resources  Supervisors  Office of Equal Opportunity, Diversity & Inclusion	Design & implement a well-organized, intentional, & strategically planned workplace mentorship program.	April 2023



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**STRATEGIC PRIORITY (SP-2)**

**Management & Supervisory Effectiveness**

Increase management & supervisory capacity to lead, engage & motivate a diverse & inclusive workforce to yield rigorous workforce outcomes & attainment of the state’s mission, vision, & value proposition. \*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, & workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Psychological Safety  Create an environment where all staff feels comfortable being their authentic self & can provide feedback & seek clarification without fear of negative consequences.	Analysis of pre & post-survey data.  Increased participation by staff in town halls, training, & team meetings.	Command Group  Supervisors  DNG Human Resources  Office of Equal Opportunity, Diversity & Inclusion	Create ways for leaders to show their staff that their opinions matter so they feel respected & valued.  Maintain various channels of communication to encourage regular dialogue & feedback sharing.	April 2023
SP-2 Goal 2	Sourcing Efforts  Ensure recruitment outreach is extended to all areas of consideration, locally & nationally, to exp& the ability to create a diverse workforce.	More diverse applicant pools per data from talent acquisition reports.	DNG Human Resources  Selecting Officials  Office of Equal Opportunity, Diversity & Inclusion	Develop & adopt recruitment processes, tools, & technology that reach & attract diverse & highly qualified talent Involve managers & supervisors in targeted outreach & other recruitment activities.	January 2023
SP-2 Goal 3	Onboarding Processes.  Curate a thoughtful onboarding process & experience that contributes to new staff, & employees’ overall connection, engagement, & long-term success.	A positive outlook on post-hiring surveys and feedback.	DNG Human Resources  Selecting Officials & Supervisors  Office of Equal Opportunity, Diversity & Inclusion	Ensure supervisors communicate the importance of Diversity & Inclusion.  Work with managers to create inclusive onboarding & training that exposes new hires to multiple individuals on the team & across the organization.	June 2023

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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, & Awareness**

Enhance & provide professional, personal, & leadership development programs to advance the success of all employees across the life cycle of their career with a key focus on equitable enrollment & participation in professional development, engagement, education, & training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, & workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Inclusive Leadership Training  Create expectations & provide education to help leaders value and leverage the talents and motivations of their team.	Training developed and completed by managers.  Outcomes of applied learning projects  Protocols established for identifying and managing non-inclusive behavior.	Command Group  Supervisors  DNG Human Resources  Office of Equal Opportunity, Diversity & Inclusion	Define skills required for leadership and integrate those skills into manager/leader competencies.  Develop leadership training program(s) & require all new and existing managers to complete them.	February 2023
SP-3 Goal 2	Foundational Skill Development  Increase awareness, engagement, and dialogue around important and fundamental DEIB topics.	Increased awareness and culture change via feedback gathered from staff (survey data, etc.)  Outcomes of applied learning projects.	Command Group  Supervisors  DNG Human Resources  Office of Equal Opportunity, Diversity & Inclusion	Offer regular awareness opportunities for all staff on foundational concepts (i.e., inherent bias, microaggressions in the workplace, inclusive language, and understanding privilege).	March 2023
SP-3 Goal 3	Recruitment & Hiring Expectations  Recognize and mitigate unconscious bias in the recruitment and hiring process.	Completion of training by all hiring managers.  Compliance with HR's new policies related to recruitment and hiring efforts.	DNG Human Resources  Selecting Official  All Staff	Require all staff, selecting officials, to complete mandatory D&I, EEO/AA specific training relating to anti-bias in hiring, best practices for selecting official & panel members, and job description development.	January 2023



Delaware Department of  
Natural Resources and Environmental Control (DNREC)

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FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022




STATE OF DELAWARE  
**DEPARTMENT OF NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL**  
RICHARDSON & ROBBINS BUILDING  
89 KINGS HIGHWAY  
DOVER, DELAWARE 19901

OFFICE OF THE  
SECRETARY

PHONE  
(302) 739-9000

**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: Shawn Garvin   
Cabinet Secretary, DNREC

SUBJECT: Delaware Natural Resources and Environmental Control  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

DATE: December 15, 2022

Attached is a copy of the Delaware Natural Resources and Environmental Control FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*. DNREC looks forward to working with DHR to address the ongoing issue of compensation inequities between our Agency and other private and public sector job offerings in hopes of improving the underrepresentation in hard to fill position data.


If you have any questions, please feel free to contact me at 302-739-9901 or [shawn.garvin@delaware.gov](mailto:shawn.garvin@delaware.gov).

Thank you.

Enclosures

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RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.



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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> The process in this **Respectful Workplace Anti-Discrimination Policy** shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)). Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the Investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will in share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Employee and Labor Relations
- **Policy Administrator:** Director of the Division of Employee and Labor Relations
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

*SLM*

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

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The Department of Natural Resources and Environmental Control (DNREC) continues to promote a diverse workforce in which each employee at every level of the organization is valued and respected. We are focused on ensuring a workforce climate that is inclusive by continuing to promote equal opportunities to all persons of diverse backgrounds regardless of their race, color, religion, national origin, age, sex, mental or physical disability, sexual orientation, gender identity or expression, and veteran or military status.

The mission of DNREC is to ensure the wise management, conservation, and enhancement of the State's natural resources, protect public health and the environment, provide quality outdoor recreation, improve the quality of life, and educate the public on historic, cultural, and natural resource use, requirements, and issues. We realize that to effectively carry out this mission, our workforce must be representative of those we serve.

During FY22, the Department of Natural Resources and Environmental Control (DNREC) Human Resources Office staff identified all incoming managers/supervisors and ensured that they were assigned mandatory training within the first 60 days of hire or new appointment as a manager/supervisor. This training included awareness training to help supervisors and managers recognize implicit biases which could reduce the potential for discrimination and harassment and help build an inclusive and supportive workplace culture within their respective divisions.

In response to the increased vacancies within the agency, DNREC identified positions in the sciences, other classifications, and hard-to-fill positions and expanded recruitment efforts by attending multiple recruitment fairs which widened exposure of active recruitments for potential applicants. The agency also highlighted hard-to-fill classifications during the ten-day Delaware State Fair which allowed Human Resources staff to engage with people from various Diverse groups and offered opportunities for potential applicants to learn about open positions and fill out job applications on-site, if desired\*.

The Agency currently has an internship program through the Veteran's Cooperative program that will continue to remain in effect.

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<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Office of the Secretary (OTS)	32
Air Quality (DAQ)	51
Fish and Wildlife (F&W)	101
Climate Coastal and Energy (CCE)	34
Parks and Recreation (P&R)	155
Waste and Hazardous Substances	90
Water	82
Watershed Stewardship	55
Environmental Crimes Unit	12
Environmental Finance	14
Fiscal Management	35
<b>TOTALS</b>	<b>661</b>

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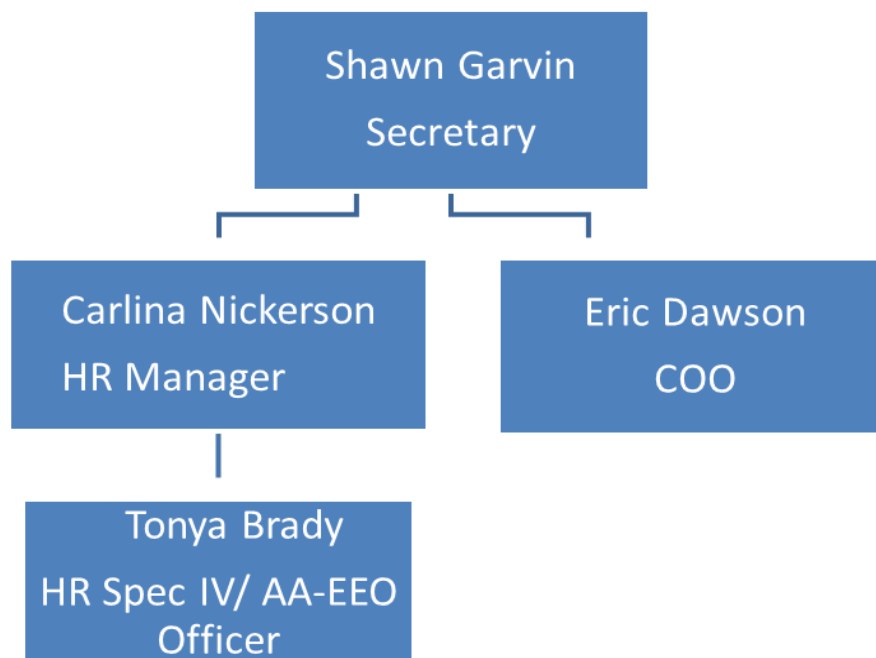
**Responsibilities for Implementation**

**RESPONSIBILITIES STATEMENT**

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The Secretary of Delaware Natural Resources and Environmental Control oversees the implementation of the Department’s Affirmative Action Plan to ensure that it is implemented promptly and effectively. The Human Resources Specialist IV, Tonya Brady, 302-739-9060, [tonya.brady@delaware.gov](mailto:tonya.brady@delaware.gov) implements the Affirmative Action Plan and ensures that managers comply with federal and state laws, regulations, and executive orders. The Affirmative Action Officer’s duties and responsibilities include:

- Act as a key resource to departmental management regarding equal employment opportunity, affirmative action, and workforce diversity matters.
- Coordinate and monitor action plans designed to identify the causes of underutilization problems and to eliminate employment barriers.
- Review departmental policies and procedures to ensure there is no adverse impact against employees in any racial/ethnic, gender, gender identification, or disability category.
- Manages the discrimination complaint system which includes investigating allegations of discrimination, maintaining tracking systems, records, and appropriate posting requirements.
- Propose personnel management policies, procedures, and practices (i.e., recruitment, hiring, retention, etc.)
- Participate in outreach/recruitment planning and evaluates the results of efforts.
- Provide consultation, training, assistance, and advice to the Department on workforce diversity issues, availability, and trends.
- Promote EEO/AA initiatives and provides training, consultation, and technical assistance on such issues as developing recruitment pools, interviewing skills, and procedures.
- Educates and informs incoming staff on the DNREC commitment to being an inclusive employer, by way of the New Employee Orientation.



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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Resolve recruitment barriers due to low starting compensation rates in Enforcement and Hard to Fill positions.	Compared the number of new and retained recruits versus other agencies.	DNREC HRO Management	DNREC Cabinet-level Management submitted a pay comparison to the DHR Secretary outlining job training, duties, and responsibilities of DNREC enforcement versus that of their counterparts in County, Municipal, and full-service enforcement agencies; justifying the request for equitable pay.	Pending
SP-1 Goal 2	Recruit for hard-to-fill positions: Engineers, Enforcement Officers	Compared number of accepted first candidate offers versus previous offers accepted for those positions.	DNREC HRO Management	DNREC offers initial sign-on bonuses to attract, hire and retain new hires in the identified classifications.	Pending

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Recruit for hard-to-fill positions: Engineers, Enforcement Officers.	DNREC will continue to compare the effectiveness of offering sign-on incentives.	DNREC HRO Management	DNREC offers initial sign-on bonuses to attract, hire and retain new hires in the identified classifications.	Pending
SP-2 Goal 2	Increase retention of DNREC Enforcement Officers by seeking to increase starting salary through Union negotiations.	DNREC is working with DHR and rank-and-file staff to foster an equitable start rate that is comparable to other State and Municipal Enforcement Agencies.	DHR, OMB, DNREC Cabinet, and HRO Management	Entered into negotiations with the Bargaining unit representing the Agency rank and File officers.	Ongoing negotiations
SP-2 Goal 3	Increase retention of DNREC Enforcement Command Staff by seeking to increase starting salary through Union negotiations.	DNREC is currently in negotiations with the Collective Bargaining Unit to foster an equitable compensation rate that is reflective of the level of work being performed and to address compression and potential raises for Command Staff (Chiefs & Captains).	DHR, OMB, DNREC Cabinet, and HRO Management	Entering into negotiations with the Bargaining unit representing the Agency Enforcement Command Staff.	Ongoing negotiations
SP-2 Goal 4	The Agency is making greater recruitment efforts to increase the Division’s visibility at the Delaware State Fair and other local and regional job fairs.	DNREC will measure success by comparing recruitment and retention numbers to that of previous years.	DNREC HRO Management	On-site application stations were provided at the DNREC Building at the DE State Fair, and multiple Statewide job and recruitment fairs.	Ongoing

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Resolve recruitment barriers due to low starting compensation rates in Enforcement and Hard to Fill positions.	Compared the number of new and retained recruits versus other agencies.	DNREC HRO Management	DNREC Cabinet-level Management submitted a pay comparison to the DHR Secretary outlining job training, duties, and responsibilities of DNREC enforcement versus that of their counterparts in County, Municipal, and full-service enforcement agencies; justifying the request for equitable pay.	Pending
SP-3 Goal 2	Recruit for hard-to-fill positions: Engineers, Enforcement Officers.	Compared the number of accepted first candidate offers versus previous offers accepted for those positions.	DNREC HRO Management	DNREC offers initial sign-on bonuses to attract, hire and retain new hires in the identified classifications.	Pending

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**SECTION IV: WORKFORCE ANALYSIS**

**DNREC Overview:**

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The Department of Natural Resources and Environmental Control is underrepresented in six EEO-4 categories. DNREC has 661 employees and minorities represent 15% of the DNREC workforce, a 2% increase from FY21. As an addition to this report, the Agency would like to make it known that Salaries in state government remain a barrier, much like having a union contract that does not allow salaries to be increased past 80% of the midpoint.

Below are observable trends that affect DNREC's opportunity to increase diversity in its workforce:

- Competition for engineering and stem fields is high from private industry and the Federal Government. DNREC did begin to offer recruitment incentives for the Engineer series.
- DNREC has 35 hard-to-fill jobs, specifically Engineers, Planners, Analytical Chemists, Hydrologists, Environmental Program Managers, and Enforcement Officers.
- DNREC has 70 positions in Protective Services which includes their Enforcement Officers. Minorities only occupy 5% of these 70 positions. Competition and public perception of the field make it difficult to attract diverse talent.
- DNREC has excellent outreach to the public, especially the Division of Parks and Recreation. The agency is particularly active on social media to promote the agency and employment opportunities. DHR has requested the Agency target recruitment efforts towards diverse schools and promote job shadowing and internships through the Delaware Pathways Program to encourage students to join the field, thus increasing diversity in the workforce.
- Only 25% of job applicants at DNREC are minority. DHR has requested the Agency source an increasingly diverse candidate pool by partnering with Delaware State University and other Historically Black colleges and Universities for their stem positions.
- DNREC hires over 600 casual/seasonal employees during the summer. DHR has requested that the Agency ensure they are targeting diverse schools to get more interest in their summer jobs, which may lead to more diverse recruitments for full-time positions.
- To stay competitive in the job market, DNREC is allowing remote work to attract the younger generations to their jobs.
- With the new census numbers, DNREC's minority underrepresentation has increased in all categories except Paraprofessional. DHR has requested the Agency educate hiring managers on their role in creating a diverse workforce through recruitment and retention efforts.

In summary, DNREC is underrepresented in seven EEO-4 categories.

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## **DNREC Demographics at a Glance:**

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The total number of DNREC employees as of June 30, 2022, by EEO-4 category is 661.

The DNREC EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DNREC workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DNREC workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DNREC does not hire in Service Maintenance EEO-4 categories.

The following summary of findings were derived from this data:

### **Minority Representation:**

- Minorities represent 15% of the total DNREC workforce, a 2% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-16%)
  - Professionals (-13%)
  - Technicians (-13%)
  - Protective Services (-33%)
  - Para-Professional (-9%)
  - Office & Clerical (-4)
  - Skilled Craft (-17%)

### **Female Representation:**

- Females represent 43% of the total DNREC workforce, a 1% increase from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-9%)
  - Professionals (-7%)
  - Technicians (-23%)
  - Paraprofessionals (-14%)
  - Skilled Craft (-3%)

### **Male Representation:**

- Males represent 57% of the DNREC workforce, a 1% decrease from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Office & Clerical (-27%)



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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	61	2	2	2	0	1	1	69	64%	3	38	1	0	0	0	0	0	39	36%	1	108	9	8%
2 Professionals	120	12	1	7	0	0	1	141	48%	4	125	16	4	4	0	0	3	152	52%	3	293	48	16%
3 Technicians	21	3	1	0	0	1	1	27	73%	3	7	2	0	0	0	0	1	10	27%	0	37	9	24%
4 Protective Services	52	0	1	0	0	0	1	54	92%	2	5	0	0	0	0	0	0	5	8%	0	59	2	3%
5 Para Professional	2	1	0	0	0	0	0	3	38%	0	4	0	0	0	0	0	1	5	63%	0	8	2	25%
6 Office & Clerical	4	0	0	2	0	0	0	6	8%	0	53	11	4	1	0	1	2	72	92%	2	78	21	27%
7 Skilled Craft	69	5	0	1	0	0	1	76	97%	0	2	0	0	0	0	0	0	2	3%	0	78	7	9%
8 Service Maintenance	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
<b>Totals</b>	<b>329</b>	<b>23</b>	<b>5</b>	<b>12</b>	<b>0</b>	<b>2</b>	<b>5</b>	<b>376</b>	<b>57%</b>	<b>12</b>	<b>234</b>	<b>30</b>	<b>8</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>7</b>	<b>285</b>	<b>43%</b>	<b>6</b>	<b>661</b>	<b>98</b>	<b>15%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	8%	-16%	3%	2%	2%	0%	1%	1%
2 Professionals	29%	16%	-13%	10%	2%	4%	0%	0%	1%
3 Technicians	38%	24%	-13%	14%	3%	0%	0%	3%	5%
4 Protective Services	37%	3%	-33%	0%	2%	0%	0%	0%	2%
5 Para Professional	34%	25%	-9%	13%	0%	0%	0%	0%	13%
6 Office & Clerical	31%	27%	-4%	14%	5%	4%	0%	1%	3%
7 Skilled Craft	26%	9%	-17%	6%	0%	1%	0%	0%	1%
8 Service Maintenance	45%	0%	NA	0%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	36%	-9%	35%	1%	0%	0%	0%	0%	0%
2 Professionals	59%	52%	-7%	43%	5%	1%	1%	0%	0%	1%
3 Technicians	50%	27%	-23%	19%	5%	0%	0%	0%	0%	3%
4 Protective Services	19%	8%	-11%	8%	0%	0%	0%	0%	0%	0%
5 Para Professional	77%	63%	-14%	50%	0%	0%	0%	0%	0%	13%
6 Office & Clerical	65%	92%	27%	68%	14%	5%	1%	0%	1%	3%
7 Skilled Craft	6%	3%	-3%	3%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	0%	NA	0%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	64%	9%	56%	2%	2%	2%	0%	1%	1%
2 Professionals	41%	48%	7%	41%	4%	0%	2%	0%	0%	0%
3 Technicians	50%	73%	23%	57%	8%	3%	0%	0%	3%	3%
4 Protective Services	81%	92%	11%	88%	0%	2%	0%	0%	0%	2%
5 Para Professional	23%	38%	14%	25%	13%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	8%	-27%	5%	0%	0%	3%	0%	0%	0%
7 Skilled Craft	94%	97%	3%	88%	6%	0%	1%	0%	0%	1%
8 Service Maintenance	56%	0%	NA	0%	0%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and agency demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

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**Minority Representation Trends FY20, 21, 22**

**Table 5**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	-14%	-17%	-16%
2 Professionals	-8%	-14%	-13%
3 Technicians	-5%	-16%	-13%
4 Protective Services	-28%	-32%	-33%
5 Paraprofessional	-10%	-9%	-9%
6 Office & Clerical	-9%	-15%	-4%
7 Skilled Craft	-15%	-19%	-17%
8 Service Maintenance	NA	NA	0%

**Female Representation Trends FY20, 21, 22**

**Table 6**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	-10%	-7%	-9%
2 Professionals	-9%	-9%	-7%
3 Technicians	-27%	-21%	-23%
4 Protective Services	-20%	-4%	-11%
5 Paraprofessional	-17%	-14%	-14%
6 Office & Clerical	25%	26%	27%
7 Skilled Craft	-2%	-2%	-3%
8 Service Maintenance	NA	NA	0%

**Male Representation Trends FY20, 21, 22**

**Table 7**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	10%	7%	9%
2 Professionals	9%	9%	7%
3 Technicians	27%	21%	23%
4 Protective Services	20%	4%	11%
5 Paraprofessional	17%	14%	14%
6 Office & Clerical	-25%	-26%	-27%
7 Skilled Craft	2%	2%	3%
8 Service Maintenance	NA	NA	0%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

Table 8

<b>Total Complaints by Gender</b> <i>As of 06/30/2022</i>	
Male	12
Woman	8
Other	1
<b>Total</b>	<b>21</b>
<b>Total Complaints by Race/Ethnicity</b> <i>As of 06/30/2022</i>	
Black - African American	2
Asian	0
Hispanic/Latinx	0
Native American/Alaskan Native	0
Not identified	1
Pacific Islander/Native Hawaiian	0
Two or more races	0
White	18
<b>Total</b>	<b>21</b>
<b>Total Complaints by Employment Status</b> <i>As of 06/30/2022</i>	
Merit	11
Non-Merit Exempt	0
Casual/Seasonal	8
Temp/Contract	1
<b>Total</b>	<b>20</b>
<b>Total Complaints by Category</b> <i>As of 06/30/2022</i>	
Informal	19
Formal	2
External	0
<b>Total</b>	<b>21</b>

<b>Total Complaints by Type</b> <i>As of 06/30/2022</i>	
ADA	3
Discrimination	2
Gender	0
Generic Issue	12
Harassment	0
Hostile Work Environment	2
Merit Rule	1
Misconduct	1
Retaliation	0
Sexual Harassment	0
Workplace Violence	0
<b>Total</b>	<b>21</b>
<b>Total Complaints by Current Status</b> <i>As of 06/30/2022</i>	
Open	8
Closed	13
<b>Total</b>	<b>21</b>
<b>Total Complaints by Resolution</b> <i>As of 06/30/2022</i>	
To be Determined	6
Substantiated	2
Unsubstantiated	13
<b>Total</b>	<b>21</b>

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

*Table 8 data were obtained from agency internal records during FY22.*

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	2	18%	0	0%	-100%
Total Female Minority Disciplines	0	0%	0	0%	0%
Total Male Non-Minority Disciplines	9	82%	0	0%	-100%
Total Male Minority Disciplines	0	0%	0	0%	0%
<b>Total Disciplines</b>	<b>11</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>-100%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	20	32%	36	43%	44%
Total Female Minority Separations	4	6%	3	4%	-33%
Total Male Non-Minority Separations	36	57%	44	52%	18%
Total Male Minority Separations	3	5%	1	1%	-67%
<b>Total Separations</b>	<b>63</b>	<b>100%</b>	<b>84</b>	<b>100%</b>	<b>25%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	20	41%	59	45%	66%
Total Female Minority New Hires	7	14%	16	12%	56%
Total Male Non-Minority New Hires	17	35%	51	39%	67%
Total Male Minority New Hires	5	10%	5	4%	0%
<b>Total New Hires</b>	<b>49</b>	<b>100%</b>	<b>131</b>	<b>100%</b>	<b>63%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	18	32%	35	34%	49%
Total Female Minority Promotions	0	0%	4	4%	100%
Total Male Non-Minority Promotions	35	63%	64	62%	45%
Total Male Minority Promotions	3	5%	1	1%	-67%
<b>Total Promotions</b>	<b>56</b>	<b>100%</b>	<b>104</b>	<b>100%</b>	<b>46%</b>

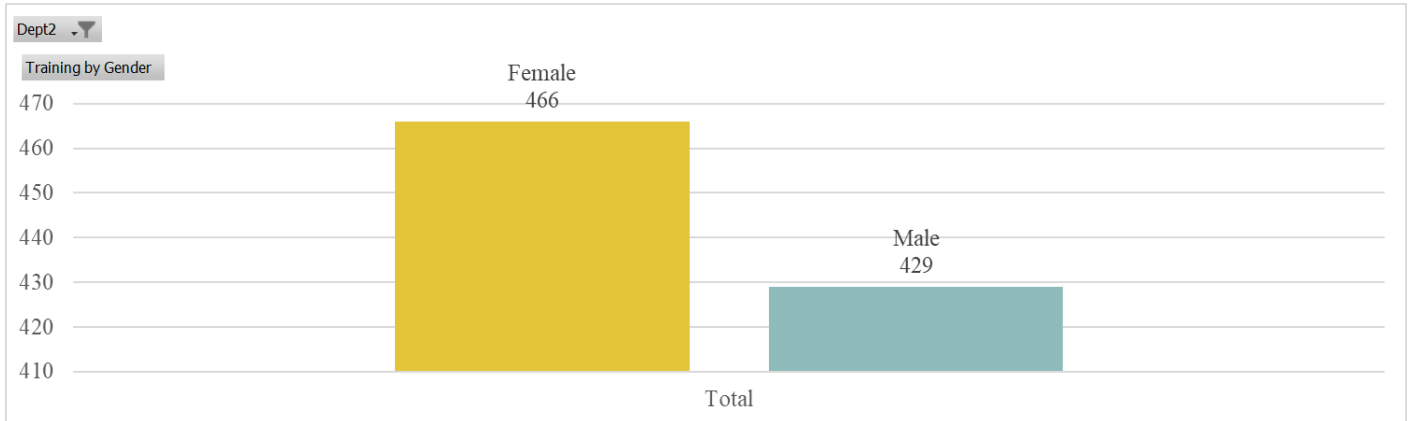
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

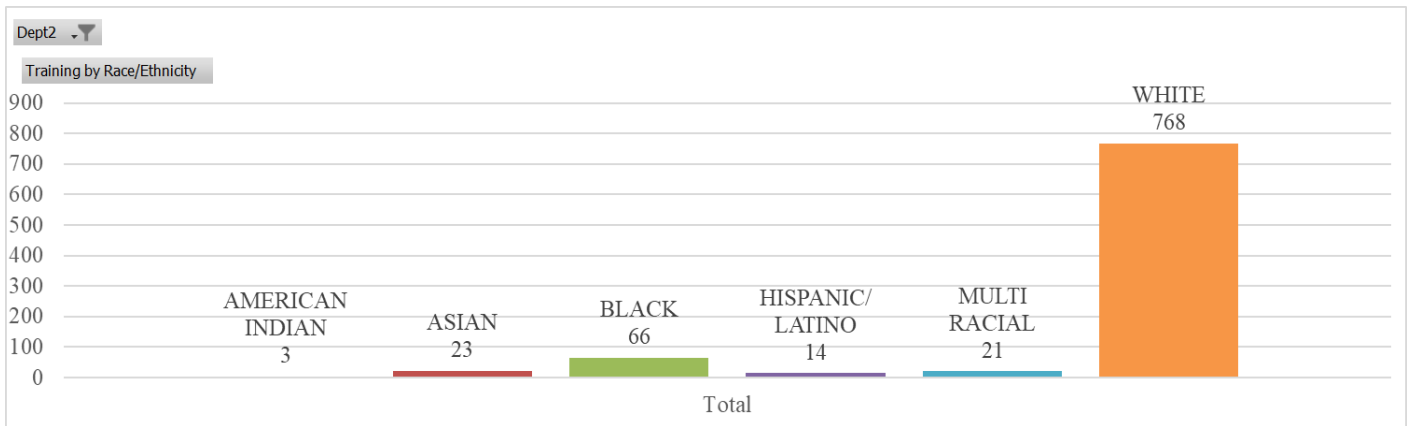
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**SECTION VII: EMPLOYEE ENGAGEMENT**

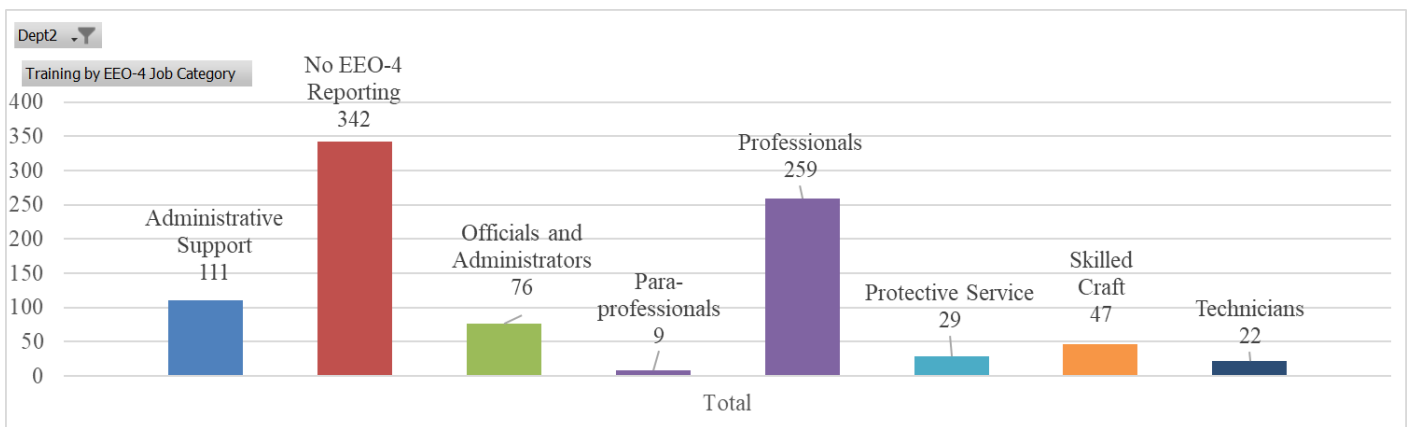
**Figure 10 Training by Gender**



**Figure 11 Training by Race/Ethnicity**



**Figure 12 Training by EEO-4 Job Category**



Figures 10-12 display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.

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**Table 13**

<b>TUITION REIMBURSEMENT SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female	4
Total Minority Female	0
Total Non-Minority Male	1
Total Minority Male	0
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>5</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed Disabled	18
Total Requests for Accommodations	3
Total Requests Accommodated	3
Total Selective Placement Candidates Interviewed	3
Total Selective Placement Candidates Hired	0

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program.

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

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**Table 15**

<b>EXIT SURVEY SUMMARY</b>						
	<b>EXCELLEN</b>	<b>GOOD</b>	<b>AVERAGE</b>	<b>BELOW</b>	<b>POOR</b>	<b>TOTAL</b>
<b>Agency as a place to work</b>	31%	32%	25%	12%	0%	100%
	18	19	15	7	0	59
<b>Opportunity for advancement or promotion</b>	3%	19%	33%	21%	24%	100%
	2	11	19	12	14	58
<b>Recognition of accomplishments/contributions</b>	20%	24%	22%	19%	15%	100%
	12	14	13	11	9	59
<b>Relationships with co-workers</b>	52%	34%	12%	0%	2%	100%
	30	20	7	0	1	58
<b>Relationship with your manager/supervisor</b>	49%	25%	14%	7%	5%	100%
	29	15	8	4	3	59
<b>Agency commitment to quality and customer service</b>	29%	41%	25%	5%	0%	100%
	17	24	15	3	0	59
<b>Work area tools available to perform the functions of your job</b>	37%	29%	25%	7%	2%	100%
	22	17	15	4	1	59
<b>Performance goals were clear and you knew what was expected of you in your job</b>	32%	32%	17%	7%	12%	100%
	19	19	10	4	7	59
<b>Training and development needs were assessed and met</b>	27%	34%	15%	14%	10%	100%
	16	20	9	8	6	59
<b>Benefits package</b>	31%	39%	20%	8%	2%	100%
	18	23	12	5	1	59
<b>Compensation</b>	7%	12%	30%	21%	30%	100%
	4	7	17	12	17	57
<b>Family-Friendly Workplace</b>	36%	36%	25%	2%	2%	100%
	21	21	15	1	1	59

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*



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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY 2022 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16\***

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
2	1	MGBA04	Analytical Chemist IV	6	33%	17%	-50%
0	0	MDAZ03	Biometrician	2	0%	0%	0%
0	0	MBBD08	DNREC Chief Enforcement Officer	3	0%	0%	0%
0	0	MBBD07	DNREC Regional Enforcement Officer	6	0%	0%	0%
2	3	MBBD06	DNREC Enforcement Officer V	11	18%	27%	33%
0	0	MBBD05	DNREC Enforcement Officer IV	9	0%	0%	0%
0	3	MGBF02	DNREC Enforcement Officer III	16	0%	19%	100%
1	2	MBBD03	DNREC Enforcement Officer II	14	7%	14%	50%
1	3	MBBD02	DNREC Enforcement Officer I	17	6%	18%	67%
0	0	MBBD01	DNREC Enforcement Trainee	2	0%	0%	0%
0	0	MCCZ13	Electrical and Mechanical Supervisor	1	0%	0%	0%
3	3	MFBC01	Engineer I	9	33%	33%	0%
0	1	MFBC02	Engineer II	6	0%	17%	100%
0	2	MFBC03	Engineer III	18	0%	11%	100%
0	1	MFBC04	Engineer IV	19	0%	5%	100%
0	0	MFBC05	Engineer V	1	0%	0%	0%
0	0	MFBC06	Engineer VI	3	0%	0%	0%
1	3	MFBC07	Engineer Program Manager I	4	25%	75%	67%
0	0	MFBC08	Engineer Program Manager II	1	0%	0%	0%
2	7	MGCD01	Environmental Program Manager I	15	13%	47%	71%
1	2	MGCD02	Environmental Program Manager II	31	3%	6%	50%
0	0	MGBF02	Hydrologist II	3	0%	0%	0%
1	1	MGBF03	Hydrologist III	6	17%	17%	0%
1	0	MGBF04	Hydrologist IV	9	11%	0%	-100%
1	1	MGBB01	Laboratory Manager I	2	50%	50%	0%
0	0	MGBB02	Laboratory Manager II	1	0%	0%	0%
0	1	MFEA02	Planner II	7	0%	14%	100%
3	2	MFEA04	Planner IV	11	27%	18%	-33%
0	0	MFEA07	Principal Planner	6	0%	0%	0%
1	0	MCCZ25	Senior Deputy Boiler Inspector	1	100%	0%	-100%

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**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MGBA04	Analytical Chemist IV	N/A				
MDAZ03	Biometrician	N/A				
MBBD08	DNREC Chief Enforcement Officer	N/A				
MBBD07	DNREC Regional Enforcement Officer	N/A				
MBBD06	DNREC Enforcement Officer V	2	10	5	7	4
MBBD05	DNREC Enforcement Officer IV	N/A				
MGBF02	DNREC Enforcement Officer III	N/A				
MBBD03	DNREC Enforcement Officer II	1	8	8	5	5
MBBD02	DNREC Enforcement Officer I	N/A				
MBBD01	DNREC Enforcement Trainee	N/A				
MCCZ13	Electrical and Mechanical Supervisor	N/A				
MFBC01	Engineer I	4	30	8	23	6
MFBC02	Engineer II	2	14	7	10	5
MFBC03	Engineer III	1	14	14	9	9
MFBC04	Engineer IV	1	3	3	0	0
MFBC05	Engineer V	1	4	4	1	1
MFBC06	Engineer VI	1	3	3	0	0
MFBC07	Engineer Program Manager I	1	4	4	1	1
MFBC08	Engineer Program Manager II	1	3	3	1	1
MGCD01	Environmental Program Manager I	2	19	10	6	3
MGCD02	Environmental Program Manager II	4	36	9	21	5

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HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MGBF02	Hydrologist II	1	5	5	3	3
MGBF03	Hydrologist III	1	6	6	3	3
MGBF04	Hydrologist IV	N/A				
MGBB01	Laboratory Manager I	N/A				
MGBB02	Laboratory Manager II	N/A				
MFEA02	Planner II	4	51	13	24	6
MFEA04	Planner IV	N/A				
MFEA07	Principal Planner	N/A				
MCCZ25	Senior Deputy Boiler Inspector	N/A				

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 18**

<b>Turnover by Division</b>				
<b>Dept ID</b>	<b>Division</b>	<b>Turnover Rate FY21</b>	<b>Turnover Rate FY22</b>	<b>% Change FY22 vs FY21</b>
400101100	DNREC/Secty/Off of the Sect	14%	22%	8%
400103300	DNREC/Secty/Community Affai	7%	0%	-7%
400103600	DNREC/ECU Enforcement	8%	0%	-8%
400105500	DNREC/Scty/Ofc Innov/Tech S	0%	100%	100%
400106600	DNREC/Environmental Finance	8%	15%	7%
400107700	DNREC/Fiscal Management	8%	3%	-5%
400302200	DNREC/Parks and Recreation	9%	12%	3%
400302600	DNREC/Parks & Rec Enforceme	9%	4%	-5%
400303300	DNREC/Fish and Wildlife	10%	12%	2%
400303600	DNREC/Fish and Wildlife	7%	20%	13%
400304400	DNREC/Watershed Stewardship	5%	22%	17%
400402200	DNREC/Air Quality	17%	17%	0%
400403300	DNREC/Water	6%	6%	0%
400404400	DNREC/Waste & Haz Sub	12%	16%	4%
400405500	DNREC/Climate Coastal Energ	6%	15%	9%
<b>Department Average</b>		<b>8%</b>	<b>18%</b>	<b>5%</b>

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**Table 19**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MGBA04	Analytical Chemist IV	0%	22%	22%
MDAZ03	Biometrician	50%	0%	-50%
MBBD08	DNREC Chief Enforcement Officer	0%	21%	21%
MBBD07	DNREC Regional Enforcement Officer	33%	0%	-33%
MBBD06	DNREC Enforcement Officer V	0%	11%	11%
MBBD05	DNREC Enforcement Officer IV	0%	15%	15%
MGBF02	DNREC Enforcement Officer III	11%	0%	-11%
MBBD03	DNREC Enforcement Officer II	0%	0%	0%
MBBD02	DNREC Enforcement Officer I	13%	0%	-13%
MBBD01	DNREC Enforcement Trainee	0%	0%	0%
MCCZ13	Electrical and Mechanical Supervisor	0%	0%	0%
MFBC01	Engineer I	50%	0%	-50%
MFBC02	Engineer II	0%	73%	73%
MFBC03	Engineer III	0%	22%	22%
MFBC04	Engineer IV	11%	16%	5%
MFBC05	Engineer V	0%	0%	0%
MFBC06	Engineer VI	0%	33%	33%
MFBC07	Engineer Program Manager I	0%	50%	50%
MFBC08	Engineer Program Manager II	0%	0%	0%
MGCD01	Environmental Program Manager I	0%	17%	17%
MGCD02	Environmental Program Manager II	0%	10%	10%
MGBF02	Hydrologist II	0%	25%	25%
MGBF03	Hydrologist III	0%	0%	0%
MGBF04	Hydrologist IV	0%	0%	0%
MGBB01	Laboratory Manager I	0%	17%	17%
MGBB02	Laboratory Manager II	0%	10%	10%
MFEA02	Planner II	0%	0%	0%
MFEA04	Planner IV	8%	18%	10%
MFEA07	Principal Planner	0%	33%	33%
MCCZ25	Senior Deputy Boiler Inspector	0%	0%	0%

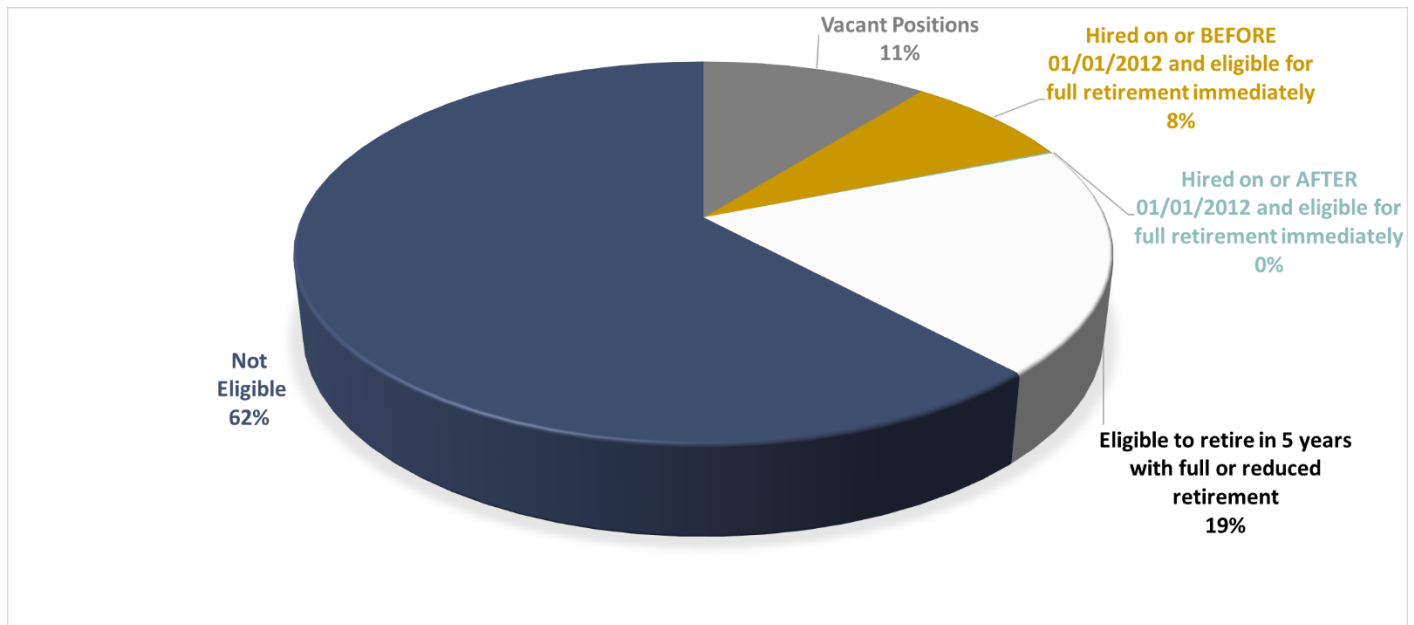
**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria:** \*\*

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

**Department of Natural Resources and Environmental Control:** Per H.B. 363, DNREC Officers are fully eligible to retire after 25 years of credited state service.

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Air Quality (DAQ)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
60	51	9	8	1	12	30
<b>Climate Coastal and Energy (CCE)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
39	34	5	0	0	7	27
<b>Environmental Crimes Unit</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
13	12	1	0	0	1	11
<b>Environmental Finance</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
15	14	1	3	0	2	9
<b>Fiscal Management</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
39	35	4	4	0	8	23
<b>Fish and Wildlife</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
114	101	13	13	0	19	69
<b>Parks and Recreation</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
166	155	11	13	0	36	106
<b>Office of the Secretary</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
34	32	2	0	0	10	22
<b>Waste Management</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
100	90	10	10	0	16	64
<b>Water</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
96	82	14	9	0	21	52
<b>Watershed Protection</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
64	55	9	0	0	10	45
<b>Department of Natural Resources and Environmental Control Totals</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
740	661	79	60	1	142	458

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

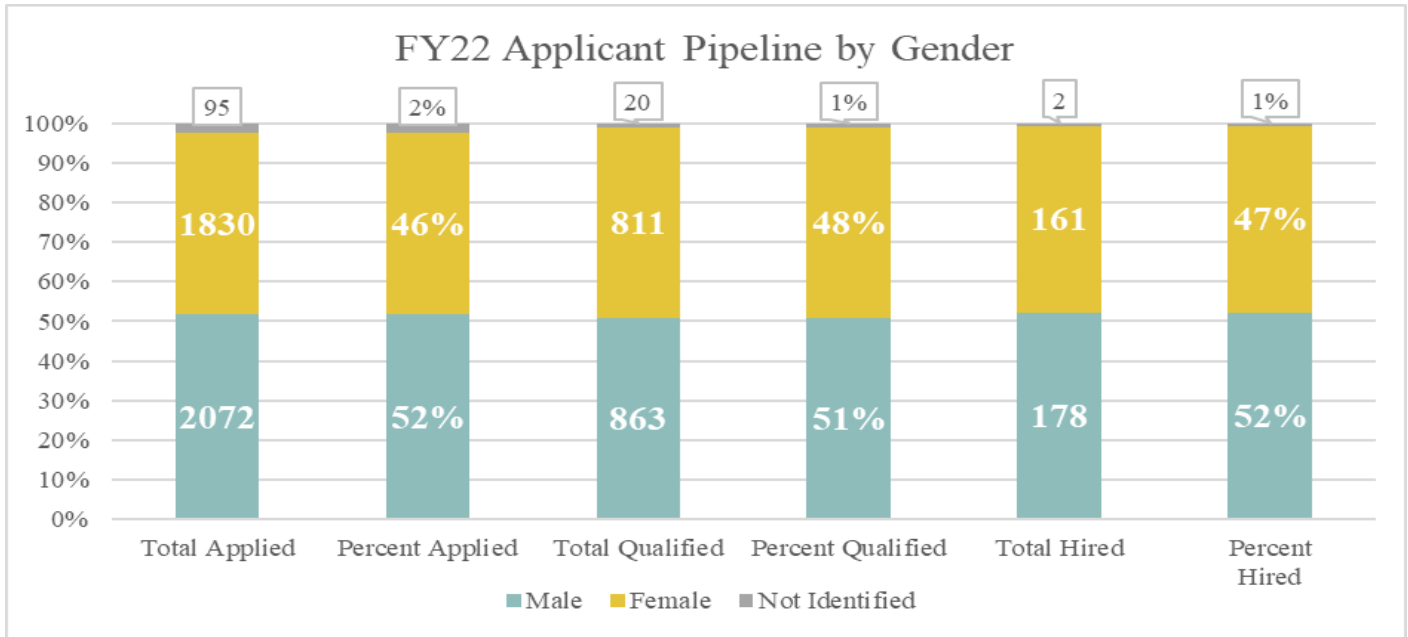
Table 21 data were obtained from the PHRST system as of 06/30/2022.

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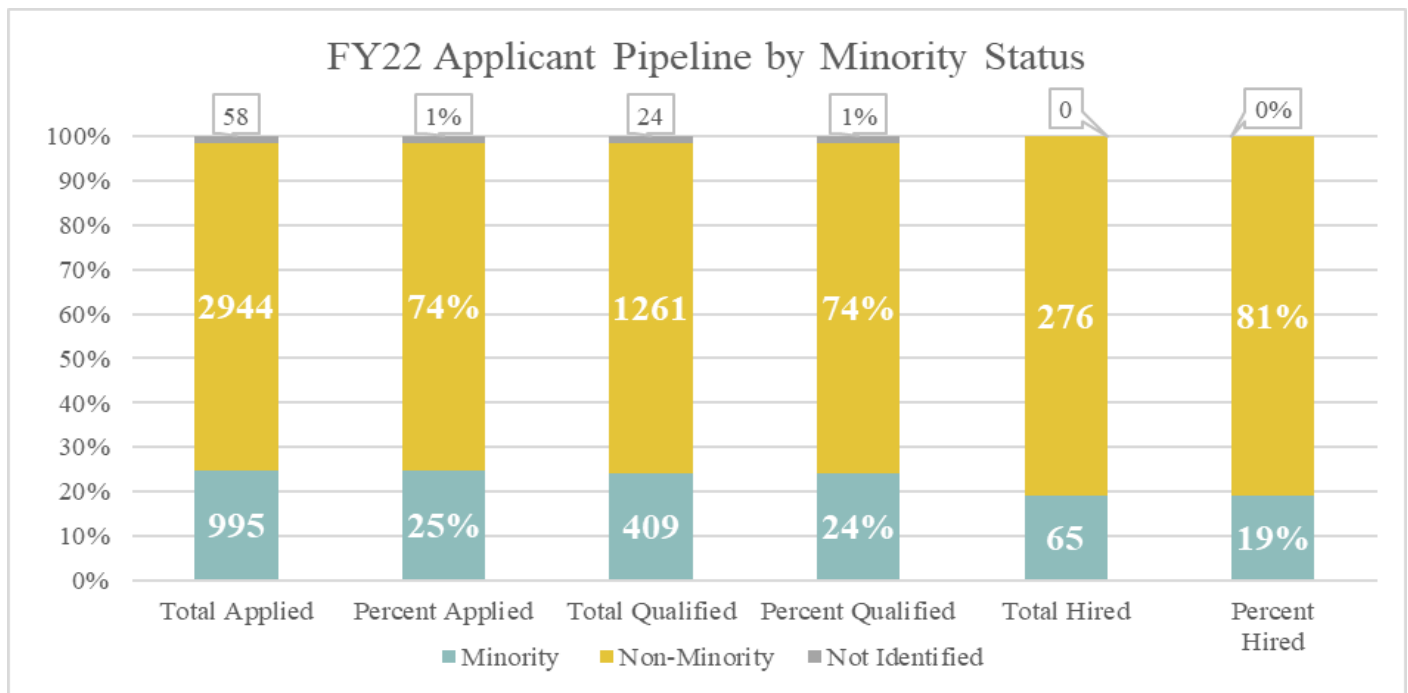
**Applicant Pipeline**

In FY22, 3,997 people applied online to DNREC jobs, a 12% decrease from FY21 in which 4,563 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*



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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	79	62
FY22	64	42
Change FY21 vs FY22	<b>-15</b>	<b>-20</b>

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date- to-Referral (days)
FY21	2	4
FY22	3	5
Change FY21 vs FY22	<b>1</b>	<b>1</b>

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY 2023 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Maintain equality regarding hiring, salary, advancement opportunities, and transfers within the workforce.	Review current year data with prior years information to determine any positive or negative impact of compensation changes within the Agency.	Agency HRO and Agency Management	ER/LR Manager & HR Management	Provide the target date to completion, and if applicable, target dates for any milestones associated with the challenge.
SP-1 Goal 2	DNREC will continue to investigate all claims of discrimination, harassment, and retaliation in the workplace giving prompt and impartial judgements to those involved, in hopes to increase the level of trust within the workforce that complaints are taken seriously and acted upon if substantiated.	We would measure results by comparing the number of complaints versus previous.	Agency HRO	ER/LR Manager & HR Management	TBD

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.\*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Provide training and guidance for DNREC leadership to achieve better operational cohesion amongst the Divisions.	Success will be measured by monitoring training compliance data and the presence of best practice standards in each Division.	Agency HRO, Division leadership	DLC training reports, ER&LR policies.	TBD
SP-2 Goal 2	Develop best practices to Ensure accountability of Agency leadership’s compliance with submitting managerial performance plans and reviews each year.	Key results will be achieving at least 90% compliance.	Agency Leadership, Agency HRO	Performance Plan and Reviews	Start of Calendar Year.

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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their career with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Develop a more comprehensive standard practice of allowing in-office flexibility for staff .	Collect data and compare denials/approvals versus requests submitted.	Agency HRO management, Division Management	AWA requests	TBD
SP-3 Goal 2	Develop a feeder program by working with DHR to create an internship program.	Increased recruitment opportunities with partnerships with the local community school systems.	Agency HRO, DHR	Internship initiative	TBD



Delaware Department of Correction (DOC)

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FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022



STATE OF DELAWARE  
DEPARTMENT OF CORRECTION  
Human Resources  
245 MCKEE ROAD  
DOVER, DELAWARE 19904

**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: Monroe B. Hudson Jr.  
Commissioner

SUBJECT: Delaware Department of Correction  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

DATE: December 6, 2022

Attached is a copy of the Delaware Department of Correction's FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.

If you have any questions, please feel free to contact me at (302) 857-5242 or [Monroeb.Hudson@delaware.gov](mailto:Monroeb.Hudson@delaware.gov).

Thank you.


Monroe B. Hudson Jr.

Enclosures

Delaware Department of Correction  
245 ~~Mckee~~ Road, Dover DE 19904

**STATE OF DELAWARE**  
**DEPARTMENT OF CORRECTION (DOC)**  
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RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.



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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)). Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the Investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.



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**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

**9. Associated Policy/Regulations/Information**

- a. The procedures under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a target of discrimination or harassment under State or federal law.
- b. Making a complaint according to this policy will not extend the time frames, prescribed by statute, by which any person must file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a CBA, if applicable, or any court or regulatory body.
- c. The deadline for filing a charge with the DDOL or the EEOC under State and federal laws is three hundred (300) days from the date of the alleged discriminatory action.
- d. [Standards of Conduct Policy and Procedures](#)

**10. Appendices and Forms**

- [Respectful Workplace and Anti-Discrimination Complaint Form](#)
- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Labor Relations and Employment Practices
- **Policy Administrator:** Director of the Division of Labor Relations and Employment Practices
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

 9/12/22

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

Delaware Department of Correction’s (DOC) commitment to equal employment opportunity is demonstrated through various initiatives and practices. The depth of that commitment is communicated through the five (5) DOC core values that guide how we serve our mission.

Integrity      Courage      Accountability      Respect      Diversity

**DOC Mission Statement:**

*Protect the public by supervising adult offenders through safe and humane services, programs, and facilities.*

During the past year, the Department continues to adjust its daily operations despite the unprecedented pandemic that impacted the lives of each employee, the lives of each person in the Department’s custody, and nearly every aspect of operations. The DOC has successfully adapted and maintained a forward momentum. The following report outlines the efforts and accomplishments in equal employment opportunity. The DOC4Inclusion Coalition continues to foster unity and collaboration within the Department by promoting inclusion and equity. In an effort to keep positive momentum within the Department amidst unprecedented staff shortages, the DOC continues to provide employees with support through meaningful training opportunities that will supply employees with the right tools for success. The DOC continues to place recruitment and retention at the forefront of the Department.

<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Office of the Commissioner	21
Bureau of Administrative Services	62
Bureau of Prisons	1,649
Bureau of Community Corrections	539
Bureau of Healthcare, Substance Abuse and Mental Health Services	10
<b>TOTAL</b>	<b>2,281</b>

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## **Responsibilities for Implementation**

### **RESPONSIBILITIES STATEMENT**

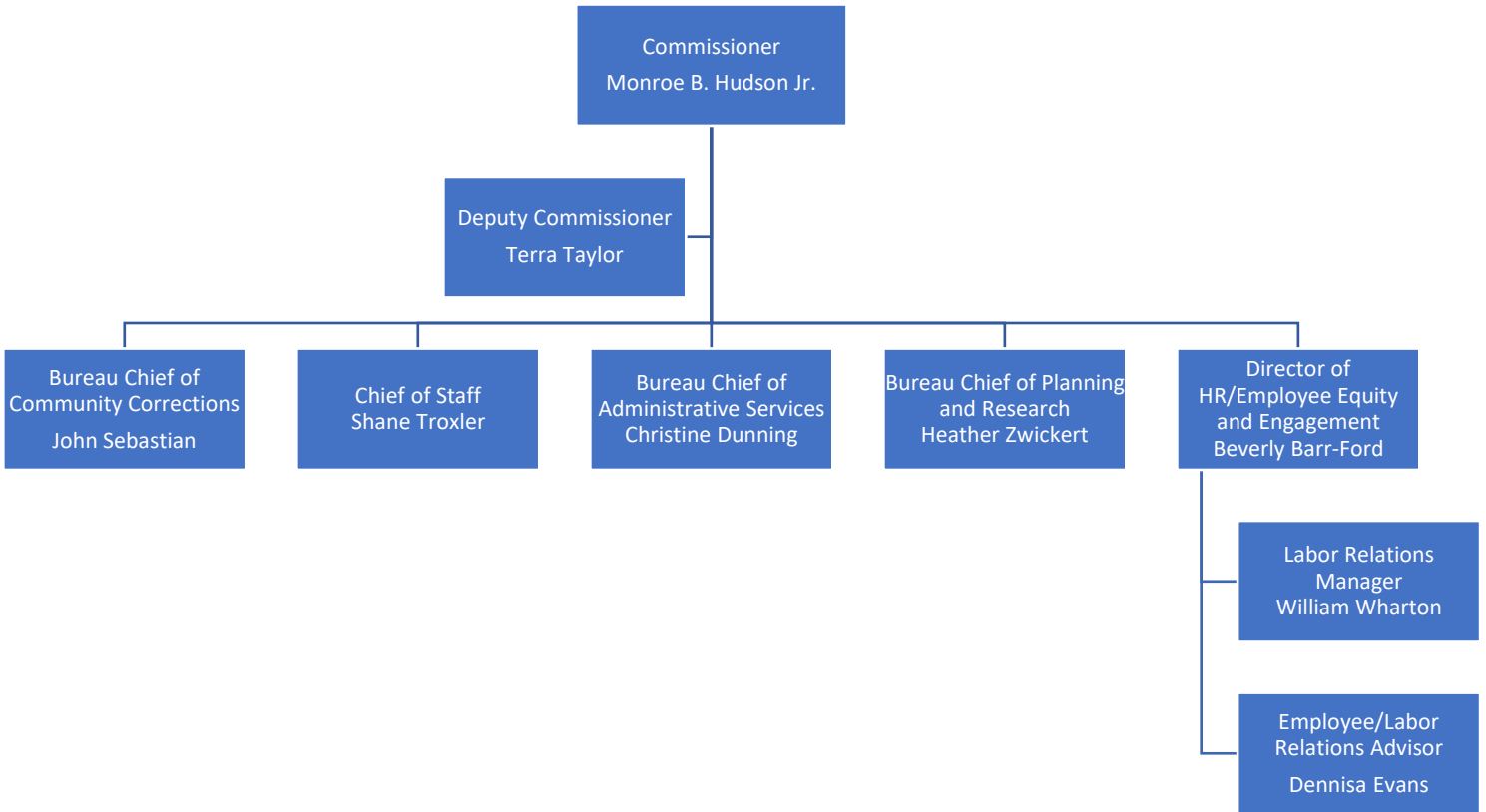
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The Commissioner of the Department of Correction oversees the implementation of the Department's Affirmative Action Plan to ensure that it is implemented promptly and effectively. The Department's leadership sets the example and acts as role models for all employees to emulate by demonstrating an appreciation for diversity among employees, offenders, and those in the community they serve. Managers provide their employees the opportunity to attend training on diversity to increase awareness and understanding, as well as to promote an inclusive environment. Sexual harassment awareness and prevention training is provided as required by 19 *Del. C.* §711A. In addition, management is charged with the responsibility of ensuring that all allegations of discrimination are addressed promptly and appropriately.

The Director of Human Resources/Employee Equity and Engagement, Beverly Barr-Ford, 302-857-5203, [beverly.barrford@delaware.gov](mailto:beverly.barrford@delaware.gov), implements the Affirmative Action Plan and ensures that managers comply with federal and state laws, regulations, and executive orders. The Affirmative Action Officer's duties and responsibilities include:

1. Directing the Department's Affirmative Action/Equal Employment and Diversity programs.
2. Overseeing the development and instruction of training related to:
  - a. Diversity & Inclusion
  - b. Discrimination and Associated Topics
  - c. Implicit Bias Awareness
  - d. Generational Differences Awareness
  - e. Sexual Harassment Awareness and Prevention
3. Overseeing and conducting mediation and resolution of workplace issues.
4. Overseeing the development and implementation of workplace culture surveys.
5. Exploring recruitment and retention initiatives.
6. Overseeing and conducting DOC4Inclusion forums to gather employee feedback.
7. Overseeing the responses to requests from the Division of Labor Relations & Employee Practices, Department of Human Resources (DHR).
8. Overseeing the responses to Charges of Discrimination filed with the Equal Employment Opportunity Commission (EEOC) and the Delaware Department of Labor (DDOL).

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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	To increase employee engagement and retention at all levels within the DOC.	By conducting statewide site visits at DOC Level IV and V facilities to solicit feedback from employees on this topic. Progress is measured by having proposed recommendations explored by leadership and having staff acknowledge when/if changes are implemented.	DOC4Inclusion Coalition	The DO4Inclusion Coalition conducted: 4 site visits. Hosted 2 employee engagement events; and, implemented Implicit Bias Training during this fiscal year.	FY22 -FY23
SP-1 Goal 2	To address workplace climate impacted by perceived racial injustices as described on a national level.	The DOC4Inclusion Coalition hosts employee engagement sessions at the DOC Probation and Parole Offices statewide. Success is measured via participants willing to participate in the tough, but necessary conversations.	DOC4Inclusion Coalition	The Coalition hosted 1 employee engagement session during this fiscal year and continues to informally communicate with P&P leaders on ways to successfully address this important area.	FY22- FY23
SP-1 Goal 3	Continue recruitment and promotion of under-represented demographics.	Success is measured through the continuous improvement of hiring qualified candidates in under-represented job classifications.	DOC Recruitment Team	Educating and requiring Hiring Managers to interview all qualified candidates for classifications identified as being under-represented in race and/or gender.	FY22-FY23

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**Strategic Priority 1**

**Goal 1- Increase Employee Engagement and Retention**

- Conducting workplace culture surveys with the goal of evaluating employee engagement.
- Share feedback received with applicable members of the DOC leadership team aimed toward addressing areas for potential improvements.
- Facilitate Implicit Bias Training for all CEIT and BOTC training classes.
- DOC Steven R. Floyd Training Academy (SRFTA):
  1. Upgraded from portable webcams to audio/visual equipment. This elevation provides the Training Academy with the ability to record training and conduct remote virtual training sessions with ease.
  2. Purchased a new stage for the DOC gym/multi-purpose room. The modular, adjustable stage provides versatility and has an improved professional appearance when hosting employee events.
  3. Purchased a new portable “TAC House” system with moveable walls. The new system will enhance the employee training experience by providing realistic approaches to searching and clearing rooms for our community-based officers. This TAC House will be used in conjunction with newly purchased firearms training equipment.
  4. Additionally, a large portable classroom space was purchased for utilization at the range with an estimated delivery date of August 2022.
  5. Facilitation of a Paint Night event hosted at the COAD Union Hall. The Paint Night event encouraged comradery between all DOC employees and their families.
  6. Facilitation of the Annual Family Fun and Fellowship event for the Department in mid-September of each year. This event provides an opportunity for all members of the DOC to bring their families together for a relaxing day of fun and fellowship.

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**Strategic Priority 1**

**Goal 2- Address Workplace Climate Impacted by Perceived Racial Injustices**

**DOC4Inclusion Coalition**

- Monthly meetings continue to be held with core Coalition members. The Commissioner and Deputy Commissioner join the meetings on a quarterly basis (schedule permitting). Initiatives accomplished thus far include:
  1. Creation of the Coalition Mission Statement.
  2. Creation of the DOC4Inclusion Coalition logo.
  3. Designed and distributed posters aimed to brand and market the DOC4Inclusion Coalition team members and to foster awareness of the coalition's mission.
  4. Policy language revisions designed to increase equity in the promotional standards process.
  5. Creation and implementation of Law Enforcement Specific Implicit Bias Training.
  6. Hosting Forums/Site Visits at facilities and offices throughout the state to gather perspectives from staff and encourage open, solutions-based dialog.
  7. This group is in the developmental stages of creating Generational Differences Training for DOC Managers and Employees.

**Strategic Priority 1**

**Goal 3- Continue Recruitment and Promotion of Underrepresented Demographics**

- The DOC partnered with the Department of Human Resources (DHR) in a Statewide Career Fair and successfully executed eight (8) hiring events between July 1, 2021 – June 30, 2022. These events are designed to offer an opportunity for potential applicants and members of the public to gain awareness about careers within the DOC. The ultimate goal for attending these events is to increase the DOC hiring pool of potential applicants. The Statewide Career Fair and DOC Hiring Events have brought approximately 445 potential applicants to the DOC.
- In an effort to improve the number of under-represented classifications, the department continues to educate and require Hiring Managers to interview all qualified candidates for classifications that are under-represented in race and/or gender.



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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1 *Refer to additional information below	To provide structured accountability via the performance evaluation process.	Measures of success will include the implementation of a cohesive performance evaluation tracking system.	DOC Human Resources	The performance appraisal training spreadsheet is currently being developed by HR. The goal is to introduce this requirement during the Leadership Development Training Course as a guide for supervisors.	FY23
SP-2 Goal 2 *Refer to additional information below	To provide meaningful training opportunities aimed toward engaging and motivating a diverse workforce.	The DOC continues to promote employee training opportunities which are tracked within the Delaware Learning Center and DOC SRFTA.	DOC Human Resources; DOC4Inclusion Coalition; and, DOC SRFTA.	The Leadership Development Training Course continues to be hosted on a biannual basis. Managing General Differences is under development by the Coalition and as previously described, the DOC SRFTA continues to develop and implement meaningful training opportunities to enhance the skillset of current staff.	FY22- FY23

**Strategic Priority 2**

**Goal 1\*- Performance Evaluation Process**

- Performance Appraisal Training is conducted during the DOC Leadership Development Training experience. The goal of the training is to provide in-depth guidance on how to write an effective employee evaluation, how to develop an employee performance plan/ improvement plan and, provide rating tools to be used by supervisors and managers during the process. Managers also receive an overview of the DOC Career Ladder process.
- In FY 23 the DOC will continue to work towards the completion of a performance evaluation tracking system. The system will enable HR to capture the departments in which additional training and guidance may be needed to ensure that employee performance evaluations are being completed annually, and department wide. The goal is to work towards 100% completion of performance evaluations on an annual basis.

## **Strategic Priority 2**

### **Goal 2\*- Meaningful Training Opportunities to Motivate and Engage Workforce**

#### **○ Workplace Culture Surveys**

1. Three (3) surveys were completed in FY22 with specific recommendations provided to applicable members of the DOC leadership team by DOC Employee-Labor Relations.

#### **○ DOC4Inclusion Coalition**

1. Implemented a ½ day of Law Enforcement Specific Implicit Bias Training.
2. Reviewed a DOC internal hiring policy and provided feedback on ways to enhance equity in the selection process.
3. Hosted several site visits at facilities and offices throughout the DOC to gather perspectives and encourage open dialog.
4. Executed events with the sole purpose of providing employees with opportunities to engage with each other in a relaxing environment.
5. This group is also in the process of developing Generational Differences Awareness training for managers and employees.

#### **○ Shadowing Program**

DOC Leaders implemented this program to provide staff the opportunity to experience “a day in the life of agency leadership” by gaining insights into the:

1. Roles and responsibilities
2. Skill requirements
3. Knowledge base

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○ **S.R. Floyd Training Academy**

1. The DOC continues to host the biannual Leadership Development Course that was implemented in FY21 at the direction of Commissioner Hudson. This weeklong “in-house” training program was created for newly promoted supervisory staff.
2. Crisis Intervention Training: In FY 22, a request for proposal was awarded to the National Commission on Correctional Health Care. The curriculum delivery will take place bi-annually in FY 23. The goal of implementing this training is to enhance employee awareness of this critical topic.
3. Effective Courtroom Presentation: The course was designed and delivered by DOC’s Deputy Attorney General (DAG) in an effort to prepare DOC Probation and Parole Officers for courtroom testimony.
4. Century Leadership-Ethical Leadership: In partnership with Wilmington University, this program was developed in FY21 and was designed to be delivered to all sworn Officers of the DOC over a 3-year period. While several training sessions had to be suspended due to Covid-19 restrictions in FY22, DOC was successful in delivering this course to approximately 183 staff members.
5. FBI Law Enforcement Executive Development Association (LEEDA) Supervisory, Command, and Executive Leadership Institutes: The DOC continues to partner with FBI LEEDA to offer leadership development opportunities to DOC staff. This weeklong course provides participants with the skills necessary for effective law enforcement leadership and promotes an opportunity to exchange information and best practices between law enforcement agencies.
6. After a two-year break due to COVID restrictions, the SRFTA re-created the Youth Academy for the Department in FY22. This program provided a unique opportunity for the youth of current staff members and youth throughout the community to learn more about the DOC through structured, age-appropriate activities led by the Academy’s Instructional staff. Youth were afforded the opportunity to participate in physical fitness activities, make new friends, and learn about the DOC while having fun. DOC hopes that through this experience, this group will consider a career in law enforcement in the future.

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1 *Refer to additional information below	To increase sign bonuses and referral incentives; Attend in-person hiring and community events; Expanded the use of virtual job posting services; Implement a recruitment media plan; Increase social media presence; and, Post recruitment flyers on virtual bulletin boards.	The DOC continues to track bonuses and measure the effectiveness that this incentive provides related to recruiting and retaining employees.	DOC Recruitment Team	The DOC has requested an increase in signing bonuses from \$5,000 to \$10,000. DOC Recruiters have increased their presence at community hiring events and via social media platforms.	FY22- FY23
SP-3 Goal 2 *Refer to additional information below	The Recruitment and promotion of under-represented demographics.	As previously stated, the DOC continues to improve the numbers of under-represented classifications by requiring Hiring Managers to interview all qualified candidates for classifications that are under-represented in race and/or gender.	DOC Human Resources	The DOC continues to Educate hiring managers on under-represented classifications requirements and practices.	FY22- FY23
SP-3 Goal 3 *Refer to additional information below	Stats on vacancy and turnover rates.	During the months that the ARPA incentive was offered, DOC tracked employee terminations and it was identified that there was a decrease in terminations during the months of February thru April 2022.	DOC Human Resources	The Department provided attendance/retention incentives via ARPA funds.	FY22
SP-3 Goal 4 *Refer to additional information below	The Documentation and implementation of consistent hiring practices.	The DOC HR team continues the review of all hiring packets received. The goal is to ensure that agency hiring practices are being implemented consistently.	DOC Human Resources	Hiring managers are provided with all hiring guidelines upon issuance of the referral list.	FY22

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### **Strategic Priority 3**

#### **Goal 1\*- Increase Sign on Bonuses and Recruitment Objectives**

- Signing Bonus - The Department received approval to increase the amount of the \$3,000 signing bonus to \$5,000 to further incentivize applicants and recruit new officers. The DOC has requested an additional increase in the signing bonus from \$5,000 to \$10,000. This bonus has been a key process in increasing the number of quality applicants.
- Referral Incentive for Current Staff – The Department continues to provide the \$2,000 incentive bonus to officers and staff who recruit new cadets. This initiative is also vital to increasing the number of quality applicants.
- DOC Equivalency Incentive Program - In an effort to aid in recruitment and retention, the Department continues to offer the equivalency pay incentive program for newly hired out-of-state correctional officers. The incentive program allows employees who have equivalent work experience from another Department of Correction to be placed on the DOC salary step table and receive the qualified length of service credit for up to and not greater than ten (10) years of service. Note: This incentive applies to compensation only.
- Out of State Housing for Cadets – DOC recently implemented an out-of-state free temporary housing option for newly hired cadets who reside more than 75 miles from the training academy.
- Salary Compression – After contractual salary increases are calculated, the DOC continues the practice of reviewing all impacted job classifications to ensure that equitable pay is provided.
- Hiring and Community Events – The Department Recruitment Team attended 98 hiring and community events between July 1, 2021 – June 30, 2022.
- Virtual Job Posting Services – The Department expanded the use of virtual job posting services to include Indeed and ZipRecruiter.
- Engagement with Marketing Firm - The DOC contracted with a local marketing firm to create and implement a Recruitment Media Plan including video production, digital billboard advertising, streaming audio on Spotify, streaming video, and predictive targeted video with AdTheorent. The Department also contracted with a publishing firm to place a recruitment ad in the 2021/2022 Delaware Hunting and Trapping Regulation Guide.
- Social Media Presence - The Department continues to expand its Social Media presence with targeted posts, pictures and videos on Twitter, Facebook, and Instagram. In addition, the DOC rebranded its' webpage to [JoinDelawareDOC.com](http://JoinDelawareDOC.com) and reconfigured content to prominently display recruitment information. DOC Recruiters contacted Aberdeen Proving Grounds, Delaware Army National Guard, Dover Air Force Base, Joint Base Langley-Eustis, and Joint Base McGuire-Dix-Lakehurst and requested they provide information on DOC career opportunities to those that are about to separate or have recently separated from the military, as well as those that will soon retire or have recently retired.
- How to Succeed Seminar – The DOC is in the process of developing a seminar for applicants to provide additional information on the Department and how to succeed in the hiring process.

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- Workforce Retirement – Planning and Knowledge Transfer  
Discussions continued with Bureau leadership to focus on pipeline efforts. The recruitment of Plant Maintenance Mechanic Positions was addressed through outreach to Delaware Contractors Association and Associated Builders and Contractors organizations. Positions in the CO series, specifically Sgt. and Lt. positions, were also monitored. Efforts focused on utilizing the Career Ladder, the Leadership Development Training Program, FBI LEEDA training and other available training tools designed to build skills to prepare lower ranking officers for career ladder and competitive promotion opportunities.
- DOC Videos Developed:
  1. Recruitment videos professionally produced for 15, 30, and 60-second advertising spots.
  2. Recruiters videoed academy experiences
  3. Physical Training
  4. Drill Instructors

### **Strategic Priority 3**

#### **Goal 2\*- The Recruitment and Promotion of Under-Represented**

- The Department partnered with the Department of Human Resources in a Statewide Career Fair and successfully executed eight (8) hiring events between July 1, 2021 – June 30, 2022. These events are designed to offer an opportunity for potential applicants and members of the public to gain awareness about careers within the DOC. The ultimate goal for attending these events is to increase the DOC's hiring pool of potential applicants.
- The Statewide Career Fair and DOC Hiring Events have brought approximately 445 potential applicants to the DOC.
- As previously stated, in an effort to improve the number of under-represented classifications, the department continues to require Hiring Managers to interview all candidates for classifications that are under-represented in race and/or gender.
- **Steven R. Floyd Training Academy (SRFTA)**
  1. Through a Blue-Collar Grant awarded to the SRFTA, the DOC was able to recruit and train 16 diverse new members of the Department's Critical Incident Stress Management (CISM) Team. The training was provided by the International Critical Incident Stress Foundation (ICISF).

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**Strategic Priority 3**

**Goal 3\*- Stats on Vacancy and Turnover Rates**

- In an effort to retain critical correctional staff and reduce the turnover rates, the department provided the following incentives via the American Rescue Plan Act (ARPA):
  1. All Correctional Officers received a \$1,500 incentive, payable in two parts over a six-month period.
  2. All Correctional Officers who have not used more than 16 hours of sick leave between October 2021 and October 2022 will receive a second \$1,500 incentive.
  3. All Correctional Officers and Probation Officers who worked overtime shifts in a Level V or Level IV facility received a \$300 incentive for each (8) hour overtime shift worked (voluntary or freeze).
- In an effort to assist other state agencies experiencing similar turnover issues, the department offered the following to Probation and Parole staff:
  1. Probation Officers received a \$300 incentive for each (8) hour of overtime shift worked at the New Castle County Detention Center and Stevenson House Detention Center (DSCYF).
  2. Additionally, Probation Officers who voluntarily worked 12 or more (8) hour overtime shifts at these DSCYF facilities during the months of November 2021 and May 2020 (6-month period) received a \$1,500 incentive.
- The DOC also provided the following attendance/retention incentive through ARPA funds:
  1. The first incentive in the amount of \$750 was paid to Officers that graduated from CEIT Training as of 10/11/21 and Correctional Staff that had not filed for retirement between the months of November 2021 and November 2022.
  2. The second incentive in the amount of \$750 was paid to Officers still employed with the DOC as of May 2022.
  3. A third attendance/retention payment in the amount of \$1,500 will be issued in November of 2022 (1 year).

**Strategic Priority 3**

**Goal 4\* – The Documentation and Implementation of Consistent Hiring Practice**

- As previously stated, the DOC continued implementing its hiring practices in FY22 by providing Hiring Manager Guidance when a referral list is provided to the hiring manager. The implementation of this process provides clear guidance for hiring managers to ensure that the DOC remains consistent in this practice, department wide.

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**SECTION IV: WORKFORCE ANALYSIS**

**DOC Overview:**

The Department of Correction (DOC) is underrepresented in four EEO-4 categories. DOC has 2,281 employees and minorities represent 43% of the DOC workforce which is the same as last year.

Below are observable trends that affect DOC's opportunity to increase diversity in its workforce:

- Recruitment for all public safety/law enforcement jobs has become increasingly challenging in the last few years due to the influence of social, political, and economic forces. DOC does offer recruitment and retention incentives for Correctional Officers; however, they continue to be presented with challenges in this area.
- DOC has a rigid background check policy for all positions which limits their applicant pool.
- Generational differences make it harder to attract people to Correctional Officer positions because they offer little flexibility in work schedules. The excessive number of vacant positions exacerbates this problem by leading to increased forced overtime and last-minute schedule changes for current employees.
- While the DOC is underrepresented in Technicians, they only have two positions in this category. They are also underrepresented in Paraprofessionals, Office Clerical and Skilled Craft but the percent of underrepresentation is low, between 4-6%. DOC must target recruitment efforts towards diverse schools and promote job shadowing and internships through the Delaware Pathways Program to encourage students to join the field, thus increasing diversity in the workforce.
- DOC should continue to improve manager education on leadership/supervisory skills to ensure an inclusive environment.
- DOC has designated Correctional Officer recruiters and they actively source Correctional Officers but have limited advertising money. They would benefit from outsourcing using job boards such as Zip Recruiter. DHR is helping DOC utilize such resources.
- DOC has held targeted camps/events during the year that expose applicants to the field of Corrections. They should consider expanding this outreach to improve their talent pipelines.

In summary, DOC is proactive in efforts to create a more diverse workforce. Further efforts should focus on increasing their female applicant pool, especially in the Professional category. In addition to prioritizing recruitment efforts toward Correctional Officers, the focus should be placed on Accounting/Fiscal, Training, and Probation and Parole jobs. To face the economic, social, and environmental forces that make it harder to attract candidates to their jobs, DOC must continually evolve its marketing, sourcing, and outreach to keep talent pipelines flowing. Doc should consider partnering with Delaware Technical Community College and the High School Pathways Program to offer internship/job shadowing and opportunities that would expose students to their work. DOC's workforce planning and subsequent recruitment efforts should be broad in scope but focus on positions with high turnover and/or retirement eligibility such as Correctional Officers, Facility Maintenance, and Community Corrections.



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**DOC Demographics at a Glance:**

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The total number of DOC employees as of June 30, 2022, by EEO-4 category is 2,281.

The DOC EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DOC workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DOC workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DOC does not hire in the Service Maintenance EEO-4 categories.

The following summary of findings were derived from this data:

**Minority Representation:**

- Minorities represent 43% of the total DOC workforce, the same as in FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Technicians (-38%)
  - Para-Professional (-3%)
  - Office & Clerical (-4%)
  - Skilled Craft (-6%)

**Female Representation:**

- Females represent 30% of the total DOC workforce, the same as in FY21.
- Females are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-4%)
  - Professionals (-13%)
  - Skilled Craft (-4%)

**Male Representation:**

- Males represent 70% of the DOC workforce, the same as in FY21.
- Males are under-represented in the following EEO-4 categories:
  - Technicians (-50%)
  - Protective Services (-1%)
  - Para-professional (-2%)
  - Office & Clerical (-26%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	31	8	1	0	0	1	0	41	59%	4	17	12	0	0	0	0	0	29	41%	0	70	22	31%
2 Professionals	195	54	12	1	0	0	5	267	55%	17	132	68	11	5	0	0	6	222	45%	2	489	162	33%
3 Technicians	0	0	0	0	0	0	0	0	0%	0	2	0	0	0	0	0	0	2	100%	0	2	0	0%
4 Protective Services	690	395	73	11	3	4	30	1206	80%	39	80	191	20	1	0	2	11	305	20%	1	1511	741	49%
5 Para Professional	7	4	0	0	0	0	1	12	22%	1	31	7	4	0	0	0	1	43	78%	1	55	17	31%
6 Office & Clerical	8	0	0	0	0	0	1	9	9%	0	64	19	3	3	0	0	1	90	91%	1	99	27	27%
7 Skilled Craft	43	4	3	2	0	0	2	54	98%	2	1	0	0	0	0	0	0	1	2%	0	55	11	20%
8 Service Maintenance	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
<b>Totals</b>	<b>974</b>	<b>465</b>	<b>89</b>	<b>14</b>	<b>3</b>	<b>5</b>	<b>39</b>	<b>1589</b>	<b>70%</b>	<b>63</b>	<b>327</b>	<b>297</b>	<b>38</b>	<b>9</b>	<b>0</b>	<b>2</b>	<b>19</b>	<b>692</b>	<b>30%</b>	<b>5</b>	<b>2281</b>	<b>980</b>	<b>43%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	31%	7%	29%	1%	0%	0%	1%	0%
2 Professionals	29%	33%	4%	25%	5%	1%	0%	0%	2%
3 Technicians	38%	0%	-38%	0%	0%	0%	0%	0%	0%
4 Protective Services	37%	49%	12%	39%	6%	1%	0%	0%	3%
5 Para Professional	34%	31%	-3%	20%	7%	0%	0%	0%	4%
6 Office & Clerical	31%	27%	-4%	19%	3%	3%	0%	0%	2%
7 Skilled Craft	26%	20%	-6%	7%	5%	4%	0%	0%	4%
8 Service Maintenance	45%	0%	NA	0%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	41%	-4%	24%	17%	0%	0%	0%	0%	0%
2 Professionals	59%	45%	-13%	27%	14%	2%	1%	0%	0%	1%
3 Technicians	50%	100%	50%	100%	0%	0%	0%	0%	0%	0%
4 Protective Services	19%	20%	1%	5%	13%	1%	0%	0%	0%	1%
5 Para Professional	77%	78%	2%	56%	13%	7%	0%	0%	0%	2%
6 Office & Clerical	65%	91%	26%	65%	19%	3%	3%	0%	0%	1%
7 Skilled Craft	6%	2%	-4%	2%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	0%	NA	0%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	59%	4%	44%	11%	1%	0%	0%	1%	0%
2 Professionals	41%	55%	13%	40%	11%	2%	0%	0%	0%	1%
3 Technicians	50%	0%	-50%	0%	0%	0%	0%	0%	0%	0%
4 Protective Services	81%	80%	-1%	46%	26%	5%	1%	0%	0%	2%
5 Para Professional	23%	22%	-2%	13%	7%	0%	0%	0%	0%	2%
6 Office & Clerical	35%	9%	-26%	8%	0%	0%	0%	0%	0%	1%
7 Skilled Craft	94%	98%	4%	78%	7%	5%	4%	0%	0%	4%
8 Service Maintenance	56%	0%	NA	0%	0%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and Agency demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	4%	5%	7%
2 Professionals	8%	2%	4%
3 Technicians	-27%	-38%	-38%
4 Protective Services	18%	12%	12%
5 Paraprofessional	-4%	-4%	-3%
6 Office & Clerical	3%	-5%	-4%
7 Skilled Craft	-3%	-7%	-6%
8 Service Maintenance	N/A	N/A	N/A

**Table 6** **Female Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	-6%	-2%	-4%
2 Professionals	-11%	-12%	-13%
3 Technicians	46%	50%	50%
4 Protective Services	-6%	1%	1%
5 Paraprofessional	-8%	-1%	2%
6 Office & Clerical	26%	24%	26%
7 Skilled Craft	-2%	-4%	-4%
8 Service Maintenance	N/A	N/A	N/A

**Table 7** **Male Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	6%	2%	4%
2 Professionals	11%	12%	13%
3 Technicians	-46%	-50%	-50%
4 Protective Services	6%	-1%	-1%
5 Paraprofessional	8%	1%	-2%
6 Office & Clerical	-26%	-24%	-26%
7 Skilled Craft	2%	4%	4%
8 Service Maintenance	N/A	N/A	N/A

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

**Table 8**

<b>Total Complaints by Gender</b>		<b>Total Complaints by Category</b>	
<b>YTD</b>		<b>YTD</b>	
Male	19	Informal	3
Woman	33	Formal	49
Other	0	External	0
<b>Total</b>	<b>52</b>	<b>Total</b>	<b>52</b>
<b>Total Complaints by Race/Ethnicity</b>		<b>Total Complaints by Type</b>	
<b>YTD</b>		<b>YTD</b>	
Black - African American	13	ADA	0
Asian	0	Discrimination	2
Hispanic/Latinx	5	Gender	0
Native American/Alaskan Native	0	Generic Issue	2
Not identified	0	Harassment	2
Pacific Islander/Native Hawaiian	0	Hostile Work Environment	44
Two or more races	1	Merit Rule	0
White	33	Misconduct	0
<b>Total</b>	<b>52</b>	Retaliation	1
<b>Total Complaints by Employment Status</b>		Sexual Harassment	1
<b>YTD</b>		Workplace Violence	0
Merit	51	<b>Total</b>	<b>52</b>
Non-Merit Exempt	0	<b>Total Complaints by Current Status</b>	
Casual/Seasonal	1	<b>YTD</b>	
Temp/Contract	0	Open	13
<b>Total</b>	<b>52</b>	Closed	39
		<b>Total</b>	<b>52</b>

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

*Table 8 data were obtained from agency internal records during FY22.*

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	8	9%	2	3%	-75%
Total Female Minority Disciplines	19	21%	8	11%	-58%
Total Male Non-Minority Disciplines	30	33%	30	41%	0%
Total Male Minority Disciplines	34	37%	33	45%	-3%
<b>Total Disciplines</b>	<b>91</b>	<b>100%</b>	<b>73</b>	<b>100%</b>	<b>-25%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	36	15%	30	11%	-17%
Total Female Minority Separations	35	14%	67	24%	48%
Total Male Non-Minority Separations	82	33%	83	30%	1%
Total Male Minority Separations	94	38%	95	35%	1%
<b>Total Separations</b>	<b>247</b>	<b>100%</b>	<b>275</b>	<b>100%</b>	<b>10%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	23	11%	54	14%	57%
Total Female Minority New Hires	42	20%	92	24%	54%
Total Male Non-Minority New Hires	58	28%	86	23%	33%
Total Male Minority New Hires	84	41%	145	38%	42%
<b>Total New Hires</b>	<b>207</b>	<b>100%</b>	<b>377</b>	<b>100%</b>	<b>45%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	44	12%	74	13%	41%
Total Female Minority Promotions	72	19%	90	16%	20%
Total Male Non-Minority Promotions	148	40%	244	43%	39%
Total Male Minority Promotions	106	29%	160	28%	34%
<b>Total Promotions</b>	<b>370</b>	<b>100%</b>	<b>568</b>	<b>100%</b>	<b>35%</b>

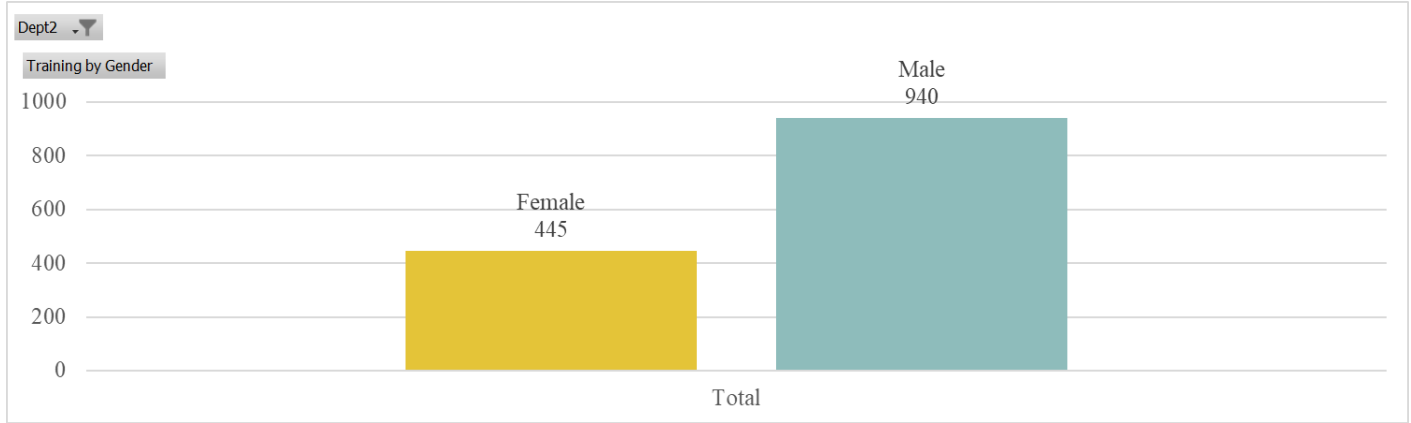
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

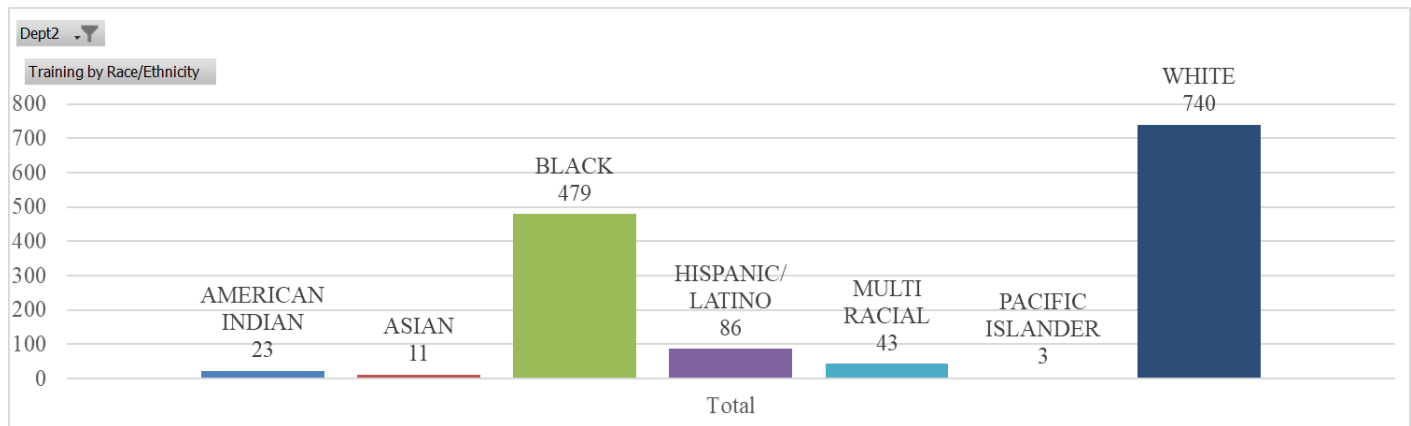
**STATE OF DELAWARE  
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**SECTION VII: EMPLOYEE ENGAGEMENT**

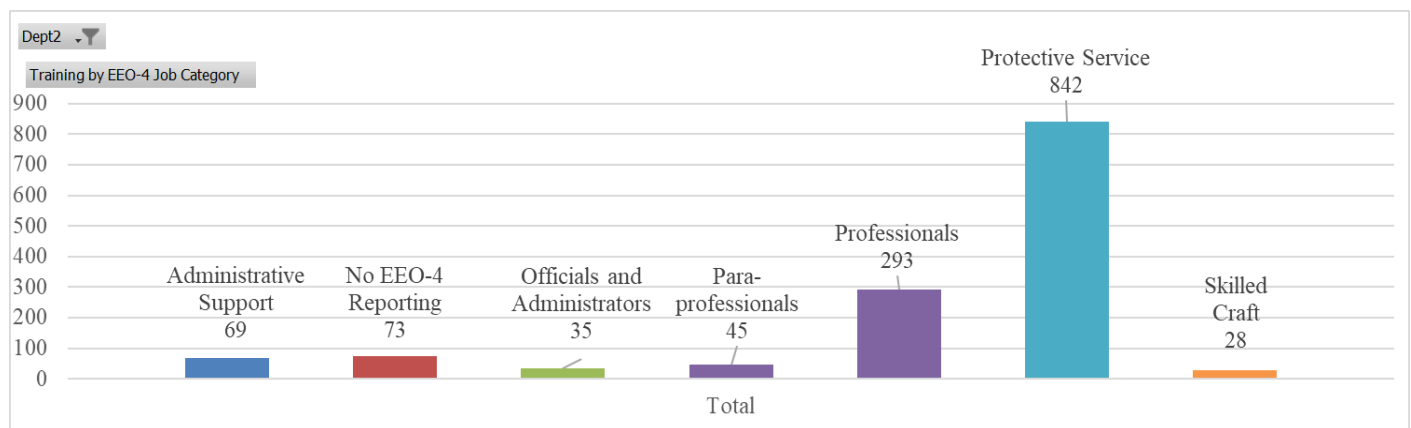
**Figure 10 Training by Gender**



**Figure 11 Training by Race/Ethnicity**



**Figure 12 Training by EEO-4 Job Category**



Figures 10-12 display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.

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**Table 13**

<b>TUITION REIMBURSEMENT SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female	1
Total Minority Female	2
Total Non-Minority Male	2
Total Minority Male	0
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>5</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed Disabled	68
Total Requests for Accommodations	221
Total Requests Accomodated	221
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*



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**Table 15**

EXIT SURVEY SUMMARY						
	EXCELLENT	GOOD	AVERAGE	BELOW AVERAGE	POOR	TOTAL
Agency as a place to work	4%	37%	35%	18%	6%	100%
	2	18	17	9	3	49
Opportunity for advancement or promotion	4%	32%	34%	15%	15%	100%
	2	15	16	7	7	47
Recognition of accomplishments/contributions	6%	18%	28%	20%	28%	100%
	3	9	14	10	14	50
Relationships with co-workers	26%	38%	20%	10%	6%	100%
	13	19	10	5	3	50
Relationship with your manager/supervisor	27%	23%	29%	10%	10%	100%
	13	11	14	5	5	48
Agency commitment to quality and customer service	6%	29%	45%	12%	8%	100%
	3	14	22	6	4	49
Work area tools available to perform the functions of your job	8%	31%	33%	22%	6%	100%
	4	15	16	11	3	49
Performance goals were clear and you knew what was expected of you in your job	18%	42%	20%	14%	6%	100%
	9	21	10	7	3	50
Training and development needs were assessed and met	16%	36%	22%	14%	12%	100%
	8	18	11	7	6	50
Benefits package	20%	47%	24%	4%	4%	100%
	10	23	12	2	2	49
Compensation	0%	44%	21%	15%	21%	100%
	0	21	10	7	10	48
Family-Friendly Workplace	6%	22%	37%	18%	16%	100%
	3	11	18	9	8	49

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
2	0	MBDA01	Correctional Officer/Canine Handler	5	40%	0%	-100%
47	62	MBDB00-01	Correctional Officer	441	11%	14%	24%
38	77	MBDB02	Correctional Corporal	406	9%	19%	51%
42	84	MBDB03	Correctional Sergeant	621	7%	14%	50%
8	5	MBDB04	Correctional Lieutenant	114	7%	4%	-60%
0	2	MBDB05	Correctional Staff Lieutenant	29	0%	7%	100%
1	1	MBDB06	Correctional Captain	34	3%	3%	0%
0	1	MBDB07	Correctional Security Superintendent	7	0%	14%	100%
0	5	MBDB08	Correction Staff Sergeant	41	0%	12%	100%
1	0	MBDF01	Deputy Warden I	4	25%	0%	-100%
0	0	MBDF03	Deputy Warden II	1	0%	0%	0%
7	11	MBEA01	Probation Parole Officer I	36	19%	31%	36%
2	3	MBEA02	Probation Parole Officer II	67	3%	4%	33%
9	3	MBEA03	Senior Probation and Parole Officer	168	5%	2%	-200%
0	0	MBEA04	Probation Parole Supervisor	35	0%	0%	0%
5	6	MCBC01	CO/Youth Rehab/Food Service Specialist I	13	38%	46%	17%
8	10	MCBC02	CO/Youth Rehab/Food Service Specialist. II	36	22%	28%	20%
1	2	MCBC03	CO/Youth Rehab/ Food Service Specialist III	13	8%	15%	50%
1	4	MCCH01	CO/Physical Plant Maintenance Trades Mechanic I	20	5%	20%	75%
2	0	MCCH02	CO/Physical Plant Maintenance Trades Mechanic II	10	20%	0%	-100%
3	2	MCCH03	CO/Physical Plant Maintenance Trades Mechanic III	18	17%	11%	-50%
0	0	MCCH06	Correctional Physical Plant Maintenance Super. I	3	0%	0%	0%
0	0	MCCH07	Correctional Physical Plant Maintenance Super. II	1	0%	0%	0%
4	1	MCCH08	CO/Physical Plant Maintenance/Trades Technician	4	100%	25%	-300%
2	2	MCCH09	CO/ Physical Plant Maintenance/Master Electrician	3	67%	67%	0%

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**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MBDA01	Correctional Officer/Canine Handler	3	30	10	18	6
MBDB00-01	Correctional Officer	17	1719	101	360	21
MBDB02	Correctional Corporal	10	158	16	N/A	N/A
MBDB03	Correctional Sergeant	7	156	22	109	16
MBDB04	Correctional Lieutenant	10	53	5	20	2
MBDB05	Correctional Staff Lieutenant	5	33	7	19	4
MBDB06	Correctional Captain	2	13	7	4	2
MBDB07	Correctional Security Superintendent	1	10	10	10	10
MBDB08	Correction Staff Sergeant	73	11	0	41	1
MBDF01	Deputy Warden I	1	5	5	3	3
MBDF03	Deputy Warden II	1	12	12	8	8
MBEA01	Probation Parole Officer I	2	298	149	179	90
MBEA02	Probation Parole Officer II	N/A				
MBEA03	Senior Probation and Parole Officer	N/A				
MBEA04	Probation Parole Supervisor	5	54	11	45	9
MCBC01	CO/Youth Rehab/Food Service Specialist I	1	94	94	7	7
MCBC02	CO/Youth Rehab/Food Service Specialist. II	N/A				
MCBC03	CO/Youth Rehab/ Food Service Specialist III	N/A				
MCCH01	CO/Physical Plant Maintenance Trades Mechanic I	1	43	43	7	7
MCCH02	CO/Physical Plant Maintenance Trades Mechanic II	N/A				
MCCH03	CO/Physical Plant Maintenance Trades Mechanic III	N/A				
MCCH06	Correctional Physical Plant Maintenance Super. I	N/A				
MCCH07	Correctional Physical Plant Maintenance Super. II	N/A				
MCCH08	CO/Physical Plant Maintenance/Trades Technician	N/A				
MCCH09	CO/ Physical Plant Maintenance/Master Electrician	1	3	3	1	1

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 18\***

<b>Turnover by Division</b>				
<b>Dept ID</b>	<b>Division</b>	<b>Turnover Rate FY21</b>	<b>Turnover Rate FY22</b>	<b>% Change FY22 vs FY21</b>
380101001	DOC/Admin/Off o/t Commissio	5%	20%	15%
380102002	DOC/Admin/Human Resources	0%	0%	0%
380103003	DOC/Planning/Research Reent	0%	12%	12%
380104004	DOC/Education	0%	0%	0%
380110010	DOC/Administrative Services	0%	0%	0%
380110011	DOC/Administrative Services	29%	15%	-14%
380112012	DOC/Admin/Cntrl Offender Rc	11%	9%	-2%
380114014	DOC/Admin/InformationTechno	0%	0%	0%
380201001	DOC/HC/SA&MHS/MedTrtmnt&Srv	22%	0%	-22%
380401001	DOC/Prisons/Bur Chief-Priso	22%	0%	-22%
380403003	DOC/Prisons/James T Vaughn	7%	8%	1%
380404004	DOC/Prisons/Sussex Corr Ins	9%	9%	0%
380405005	DOC/Prisons/D Baylor Corr I	6%	16%	10%
380406006	DOC/Prisons/Howard R Young	11%	18%	7%
380408008	DOC/Prisons/Special Operati	16%	1%	-15%
380409009	DOC/Prisons/DE Corr Industr	10%	10%	0%
380412012	Steven R. Floyd Sr.TraingAc	9%	81%	72%
380413013	DOC/Intelligence Operations	0%	25%	25%
380420020	DOC/Food Services	9%	19%	10%
380420080	DOC/Food Services	17%	18%	1%
380440040	DOC/Facilities Maintenance	9%	8%	-1%
380601001	DOC/Community Corr/Bur Chie	27%	20%	-7%
380602002	DOC/Com Cor/Probation & Par	7%	6%	-1%
380606006	DOC/ComCor/NCC Comm Correct	9%	27%	18%
380607007	DOC/ComCor/Sussex County CC	4%	6%	2%
380608008	DOC/ComCor/Kent County CC	12%	14%	2%
380613013	Hazel D. Plant Wmns Trmt Fc	N/A	0%	N/A
380614014	PlummerCommunityCorrections	N/A	0%	N/A
<b>Department Average</b>		<b>10%</b>	<b>12%</b>	<b>4%</b>

\*Turnover rates at the Steven R. Floyd Sr. Training Academy are only at high rates because cadets move out of the Division and into their full-time job units upon completion of the six-week training program.

**STATE OF DELAWARE**  
**DEPARTMENT OF CORRECTION (DOC)**  
**FY2022 EEO/AA REPRESENTATION SUMMARY**

**Table 19**

<b>Turnover by Hard-to-Fill Jobs</b>				
<b>Job Code</b>	<b>Job Title</b>	<b>Turnover Rate FY21</b>	<b>Turnover Rate FY22</b>	<b>% Change FY22 vs FY21</b>
MBDA01	Correctional Officer/Canine Handler	11%	14%	3%
MBDB00-01	Correctional Officer	26%	29%	3%
MBDB02	Correctional Corporal	6%	9%	3%
MBDB03	Correctional Sergeant	6%	5%	-1%
MBDB04	Correctional Lieutenant	6%	4%	-2%
MBDB05	Correctional Staff Lieutenant	15%	0%	-15%
MBDB06	Correctional Captain	6%	3%	-3%
MBDB07	Correctional Security Superintendent	0%	14%	14%
MBDB08	Correction Staff Sergeant	5%	16%	11%
MBDF01	Deputy Warden I	33%	0%	-33%
MBDF03	Deputy Warden II	0%	0%	0%
MBEA01	Probation Parole Officer I	13%	7%	-6%
MBEA02	Probation Parole Officer II	6%	6%	0%
MBEA03	Senior Probation and Parole Officer	5%	6%	1%
MBEA04	Probation Parole Supervisor	6%	6%	0%
MCBC01	CO/Youth Rehab/Food Service Specialist I	13%	44%	31%
MCBC02	CO/Youth Rehab/Food Service Specialist. II	7%	19%	12%
MCBC03	CO/Youth Rehab/ Food Service Specialist III	9%	9%	0%
MCCH01	CO/Physical Plant Maintenance Trades Mechanic I	6%	13%	7%
MCCH02	CO/Physical Plant Maintenance Trades Mechanic II	8%	0%	-8%
MCCH03	CO/Physical Plant Maintenance Trades Mechanic III	8%	7%	-1%
MCCH06	Correctional Physical Plant Maintenance Super. I	0%	0%	0%
MCCH07	Correctional Physical Plant Maintenance Super. II	0%	0%	0%
MCCH08	CO/Physical Plant Maintenance/Trades Technician	29%	0%	-29%
MCCH09	CO/ Physical Plant Maintenance/Master Electrician	0%	0%	0%

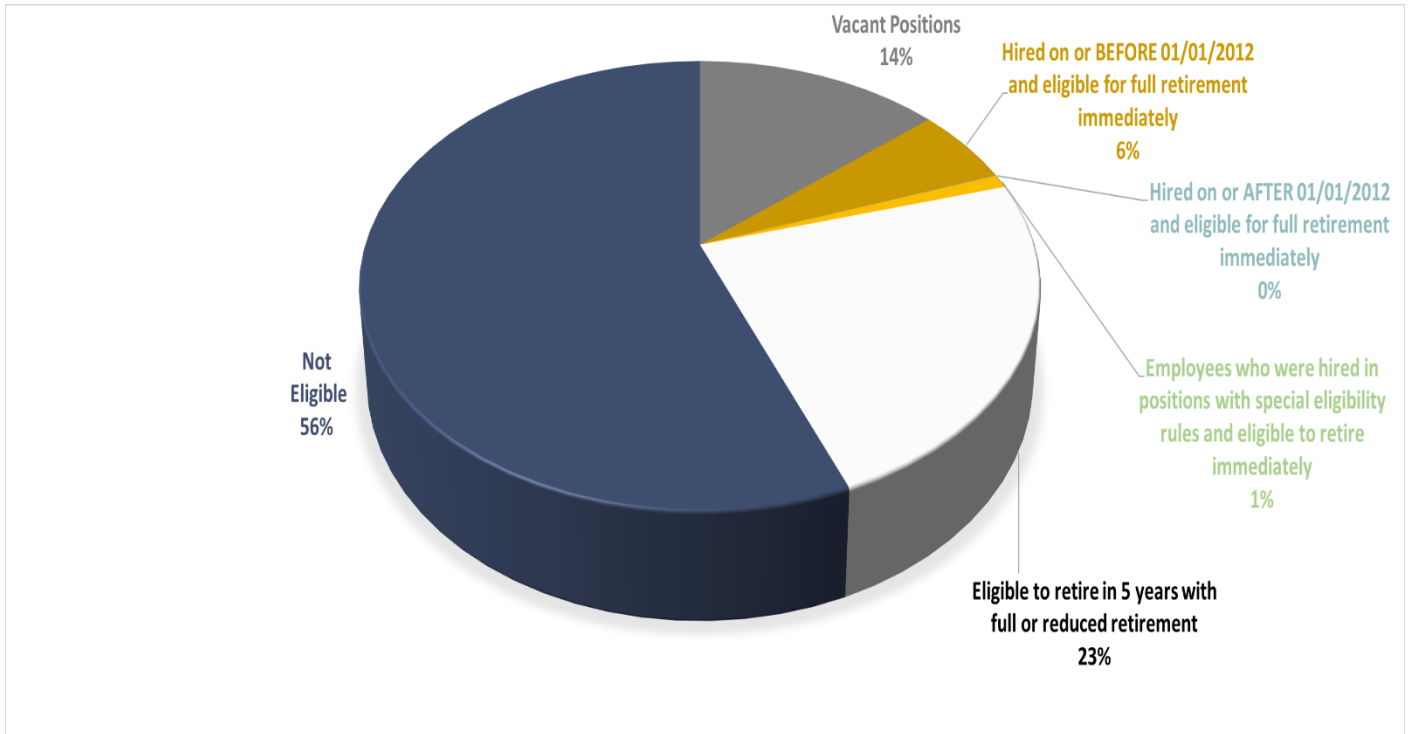
**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

**STATE OF DELAWARE  
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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria:** \*\*

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

**Department of Correction:** Per H.B. 207, DOC employees in the Correctional Officer and Probation & Parole series receiving Hazardous Duty Level A-1 are fully eligible to retire after 25 years of state service.

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Bureau of Administrative Services</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>95</b>	<b>78</b>	<b>17</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>20</b>	<b>47</b>
<b>Community Corrections</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>608</b>	<b>537</b>	<b>71</b>	<b>35</b>	<b>0</b>	<b>10</b>	<b>161</b>	<b>331</b>
<b>Facilities Maintenance</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>75</b>	<b>64</b>	<b>11</b>	<b>8</b>	<b>0</b>	<b>3</b>	<b>22</b>	<b>31</b>
<b>Food Services</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>87</b>	<b>65</b>	<b>22</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>18</b>	<b>42</b>
<b>Healthcare</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>11</b>	<b>10</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>8</b>
<b>Intelligence Operations Center</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>17</b>	<b>7</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>5</b>

**STATE OF DELAWARE**  
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<b>Planning and Re-entry</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>10</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>4</b>
<b>Prisons</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>1675</b>	<b>1468</b>	<b>207</b>	<b>89</b>	<b>0</b>	<b>9</b>	<b>387</b>	<b>983</b>
<b>Steven R. Floyd Sr. Training Academy</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>70</b>	<b>45</b>	<b>25</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>33</b>
<b>Department of Correction Totals</b>							
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Employees who were hired in positions with special eligibility rules and eligible to retire immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>2648</b>	<b>2281</b>	<b>367</b>	<b>149</b>	<b>1</b>	<b>25</b>	<b>622</b>	<b>1484</b>

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

*Table 21 data were obtained from the PHRST system as of 06/30/2022.*

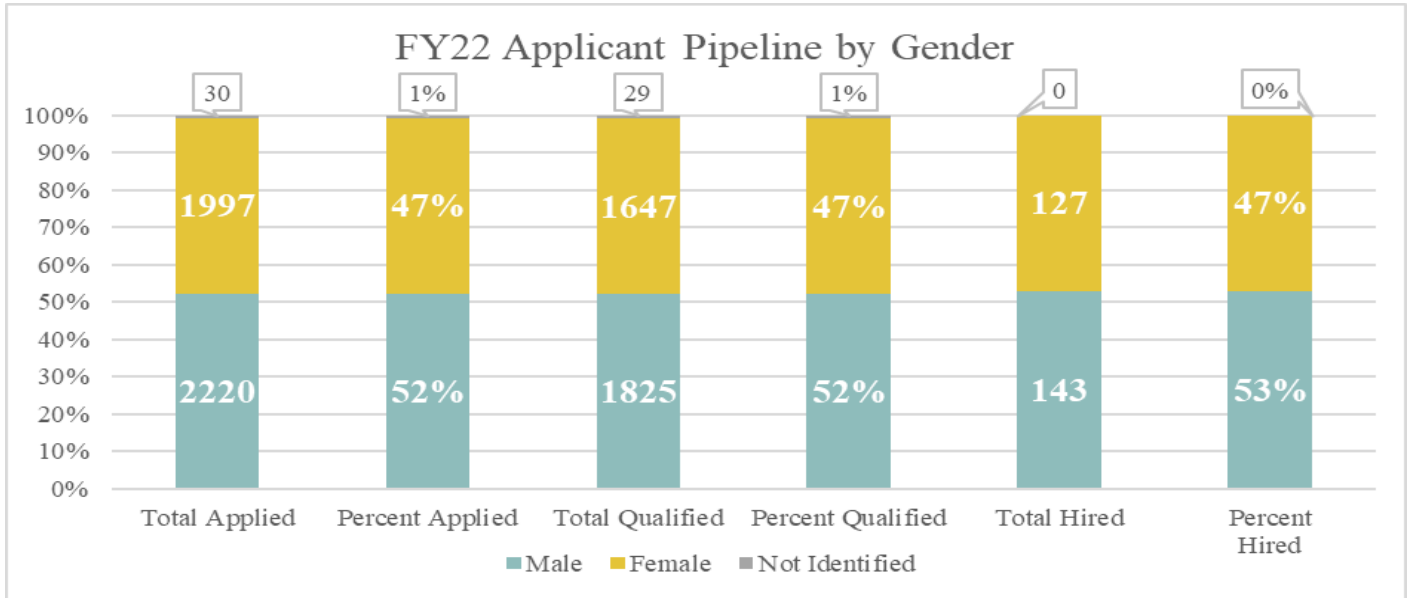


**STATE OF DELAWARE**  
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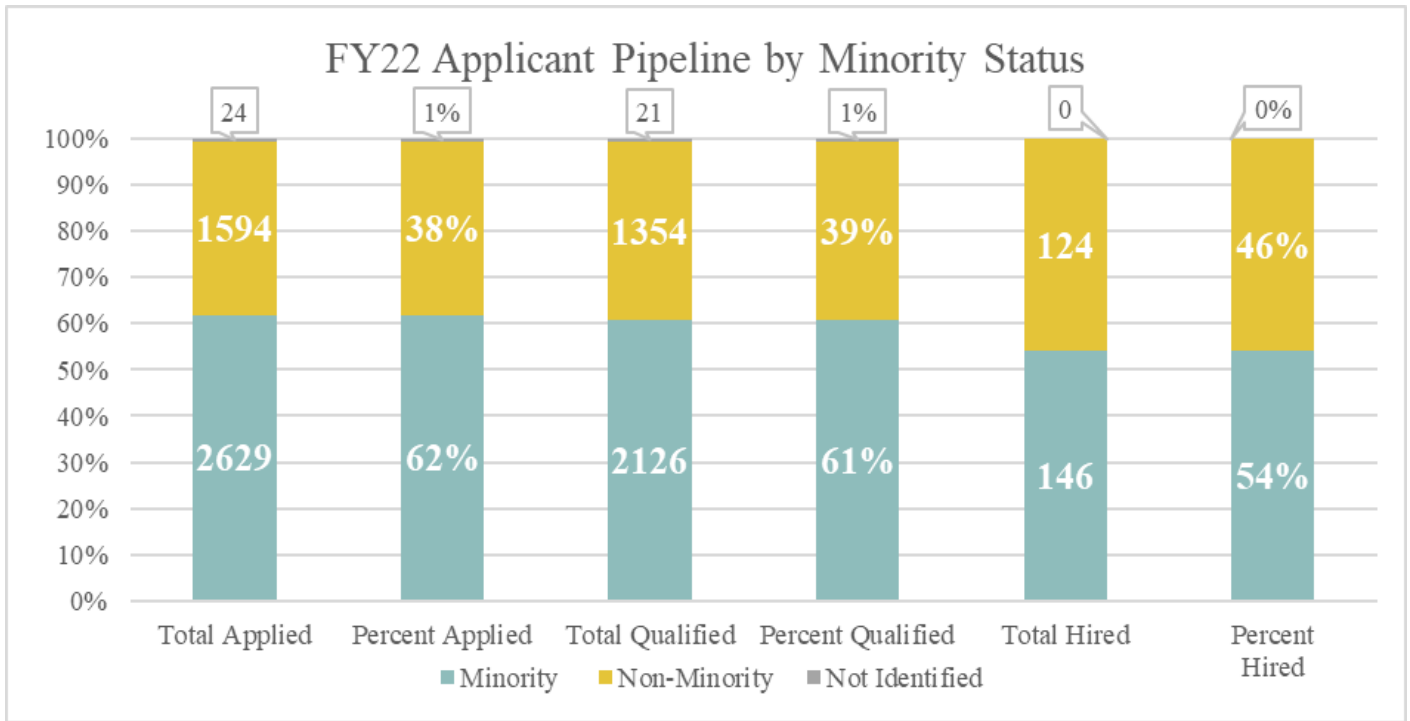
**Applicant Pipeline**

In FY22, 4,247 people applied online to DOC jobs, a 12% decrease from FY21 in which 4,853 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	97	67
FY22	90	38
Change FY21 vs FY22	-7	-29

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	3	3
FY22	4	2
Change FY21 vs FY22	1	-1

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time the referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	The DOC will collaborate with the SRFTA to identify key areas that are causing a decrease in graduation rates, as this continues to cause a strain on DOC's current workforce.	Increase CEIT Graduation Rates while in SRFTA.	DOC Human Resources and SRFTA.	Survey Monkey	FY23-FY24
SP-1 Goal 2	Work with DHR to collaborate on potential motivating incentives for recruitment and the retention of DOC employees.	The DOC in conjunction with DHR will continue to explore feasible options aimed at attracting new talent.	DOC /DHR Human Resources and DOC Recruitment Teams	Collaboration Committee consisting of forward, solutions-based team members.	FY23-FY24

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.\*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	The DOC will continue to create and provide meaningful training opportunities to engage and motivate a diverse workforce.	Results can be measured by tracking the attendance rates of supervisory training courses that are offered. In addition, encouraging DOC leadership members to approve staff’s ability to attend training when opportunities arise.	SRFTA and the DOC4Inclusion Coalition.	University of Delaware potential grant funds and internally qualified staff members.	FY23-FY24
SP-2 Goal 2	To Increase tracking efforts aimed to ensure supervisor accountability regarding performance plans/evaluations.	The tracking system will enable HR to monitor the Departments in which additional training/ guidance is needed. The end goal is to ensure that employee performance evaluations are being completed annually.	DOC Human Resources	Microsoft Excel and, trained Excel End Users.	FY23-FY24
SP-2 Goal 3	The DOC will collaborate with DHR’s Diversity and Inclusion Department to identify gaps in DOC’s retention, recruitment, and workforce underrepresentation.	Review the path forward recommendations provided by DHR’s Diversity and Inclusion Department and continue measuring improvements while striving to implement change in current DOC practices where feasible.	DOC Recruitment, DOC/DHR Human Resources, and DOC Leadership Teams	DOC staff members who actively display a collaborative and team approach to this work.	FY23-FY24

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DEPARTMENT OF CORRECTION (DOC)  
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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their career with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Continue recruitment and promotion of under-represented demographics.	As previously stated, the DOC will continue to improve the numbers of under-represented classifications by requiring Hiring Managers to interview all qualified candidates for classifications that are under-represented in race and/or gender.	DOC HR and Recruitment Teams	Trained Managers and Supervisors	FY23
SP-3 Goal 2	Continue retention efforts of quality Officers through professional development and growth within the Department.	The DOC will measure the effectiveness by tracking employee participation in training opportunities via the Delaware Learning Center and SRFTA. Adjustments to the curriculum will be made based on employee feedback.	DOC4Inclusion Coalition, Human Resources, SRFTA, and Leadership Teams.	DOC Team members who actively display a collaborative and team approach to this work.	FY23
SP-3 Goal 3	The DOC in collaboration with DHR will continue to generate opportunities aimed to increase employee engagement.	Engagement participation will be tracked by employee attendance rates.	DOC4Inclusion Coalition and DOC Human Resources	DOC staff members who actively display a collaborative and team approach to this work.	FY23



Delaware Department of Education

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FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022



## DEPARTMENT OF EDUCATION

Townsend Building  
401 Federal Street Suite 2  
Dover, Delaware 19901-3639  
<http://education.delaware.gov>

Mark A. Holodick, Ed.D.  
Secretary of Education  
(302) 735-4000  
(302) 739-4654 - fax

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### MEMORANDUM

**TO:** Claire DeMatteis  
Secretary, Department of Human Resources

**FROM:** Mark A. Holodick, Ed.D. *Mark A. Holodick*  
Secretary, Department of Education

**SUBJECT:** Delaware Department of Education  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

**DATE:** December 9, 2022

Attached is a copy of the Delaware Department of Education FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.

If you have any questions, please feel free to contact me at 302-735-4001 or [Mark.Holodick@doe.k12.de.us](mailto:Mark.Holodick@doe.k12.de.us).

Thank you.

Enclosures

**STATE OF DELAWARE**  
**DEPARTMENT OF EDUCATION (DOE)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY	
<b>DHR-Policy #: To be assigned.</b>	<b>Authority: 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30</b>
<b>Effective Date: July 25, 2022.</b>	<b>Supersedes: June 24, 2019, Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention</b>
<b>Application: Executive Branch Agencies</b>	<b>Signature: <i>Claire M. Donatelli</i></b>  <i>Mark A. Holodick</i>

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.



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**DEPARTMENT OF EDUCATION (DOE)**  
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**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

**STATE OF DELAWARE**  
**DEPARTMENT OF EDUCATION (DOE)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> **The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.



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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Employee and Labor Relations
- **Policy Administrator:** Director of the Division of Employee and Labor Relations
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

The Department of Education is committed to creating and maintaining a work environment in which people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the department. The work environment of the department is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, we will not tolerate unlawful discrimination or harassment of any kind. Each manager and supervisor are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, we seek to prevent, correct, and discipline behavior that violates this policy.

As a public employer and as the governing body of the Delaware public school system, the Department of Education has a special responsibility to not merely comply with the law, but to further the inherent values of fair and equal treatment in all personnel actions.

In addition, the Department of Education strives to recruit and retain candidates most qualified to serve the diverse educational needs of all of the State’s Local Education Agencies (LEA) and nearly 150,000 school students. It is the Department of Education’s goal for its employees to reflect the cultural and racial diversity of all Delaware students, and to hire professional staff with the necessary skills and knowledge to expertly support all of the Local Education Agencies serving students, including those with disabilities, those with exceptional needs, those with special talents, those whose first language is not English, and those who may be vulnerable to inequitable treatment because of race, color, ethnic background, religion, gender, age, sexual preference, genetic information or veteran status.

<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Office of the Secretary	16
Academic Support Team	39
Student Support Team	34
Workforce Support Team	29
Operations Support Team	51
Early Childhood Support Team	34
Special Needs Program/Driver Training	61
Board Members	2
<b>TOTALS</b>	<b>266</b>

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## **Responsibilities for Implementation**

### **RESPONSIBILITIES STATEMENT**

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The Secretary of Education assumes responsibility for the implementation of the *Affirmative Action Plan*. He will provide leadership, and plan oversight and will assign personnel necessary to accomplish the plan's goals and objectives. To this end, he has designated the following person as the Department's Affirmative Action Coordinator:

Shamika D. McLean  
Human Resource Officer  
Department of Education  
401 Federal Street, Suite 2  
Dover, DE 19901  
(T) 302.735.4030  
(F) 302.739.7768  
[Shamika.McLean@doe.k12.de.us](mailto:Shamika.McLean@doe.k12.de.us)

The Department's Affirmative Action Coordinator will work to ensure that the goals and objectives of the Plan are being met and work to prepare such reports as required for the effective management of diversity and the monitoring of affirmative action. The coordinator will also serve as the Affirmative Action Complaints Officer, who will hear complaints and resolve disputes or grievances which may arise from the implementation of the Plan. The coordinator will assist the Secretary of Education, as directed, to see that the annual goals of the Plan are realized.

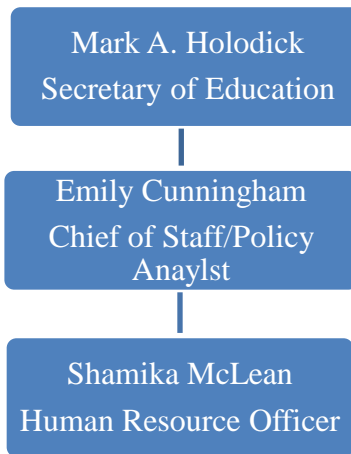
Duties and Responsibilities of the DOE Affirmative Action Coordinator:

1. Work with the Secretary of Education to develop and implement an *Affirmative Action Plan* for the department.
2. Work with the Secretary of Education and hiring managers to review the qualifications of all positions within the department to make certain that such requirements are reasonably related to job performance and do not constitute artificial barriers to hiring or promotion.
3. Work with the Secretary of Education and hiring managers to review the qualifications of all departmental employees to assure that women, minorities, veterans, and those with disabilities are given equal employment opportunities for hiring, promotion, training, transfer, and all personnel actions.
4. Serve as liaison between the Department of Education and organizations, groups, and persons concerned with employment opportunities for minorities, women, persons with disabilities, and veterans.
5. Provide career counseling to assist employees in identifying advancement opportunities or skills enhancement which would qualify the employee for possible career advancement.
6. Assist the Secretary of Education in the discharge of the duties and responsibilities set out in Executive Order 30.

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7. Provide technical assistance to managers and staff within the department to effectively carry out the requirements of Executive Order 30 and the department's *Affirmative Action Plan*.
8. Act as the Department's Affirmative Action Complaints Officer to assure that affirmative action complaints are heard, investigated, and answered.
9. Conduct small-group in-person new employee orientation sessions wherein the Department's Equal Employment Opportunity Policy is reviewed.
10. Conduct voluntary exit interviews with each departing employee to determine the reasons for leaving the department and retain exit interview records for at least three years.

*A complete list of federal and state laws, regulations, and executive orders is attached as Appendix B.*



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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

DOE endeavors to create a working environment that is diverse and inclusive of all our employees. During COVID, we had to shift the way we work which impacted the workplace environment for many of our employees. It became challenging to work closely with schools and other community partners. This forced DOE to broaden our minds on how to foster an equitable and inclusive environment that recognizes the value of diversity among all employees working onsite and remotely. We hired a casual/seasonal HR Specialist who could focus on projects such as employee recognition, health and wellness programs, and a summative evaluation tool. We wanted to understand how to engage all employees whether they are in one of our local buildings or at an offsite. We have continued to hold all staff meetings to highlight key projects that are being worked on and how we can bridge the gaps between leadership and the employees.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Work with Equity Council to develop practices that are fair & Equitable across the agency.	Changes to outdated processes and updating procedures so they are equitable.	Equity Council	Surveying staff to understand processes and how we can update them.	In progress
SP-1 Goal 2	Address siloed work and burnout.	Cross-training employees and exposing employees to what is happening in teams across the agency.	All Staff	Cross-training staff on work Cross-team collaboration.	In progress

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

DOE was very diligent in meeting the needs of our employees through our management and leadership team. With DOE being underrepresented in our Officials & Administrators and our Professionals, our first course of action to help support our employees was to create a leadership team that is diverse in ethnicity and gender. In 2021, we hired our new HR Officer and then in 2022, we hired our Secretary of Education and later hired our Deputy Secretary of Education who is also diverse in ethnicity and gender. These selections were critical to meeting the population of folks we work with and the goals that we are working toward. With these recent shifts in leadership, we are striving to continue to focus on Equity and Diversity by looking at some of our processes and how we can make the less subjective.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Develop a Summative Evaluation tool that requires mandatory interaction of the Employee and their Supervisor.	Obtaining performance plans for employees and developing a set schedule for check-ins with staff to ensure collaboration is happening.	Department Leadership and Employees	Developed a timeline for the completion of each step of the summative evaluation process.	Completed 6/30/2022. Will continue to evaluate for effectiveness.
SP-2 Goal 2	Assist in the development of a mentorship program.	Still in progress and in the early stages of planning.	HR Officer and Chief of Staff	An initial interest meeting was had between DOE and Connecting Generations to see how we can implement this program.	In progress. The target date to fully implement is by 12/31/2022



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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

We had an increase in our recruitment of employees over the last year. This is attributed to retirements as well as some normal turnover as people move on to other positions. Most of our positions are not hard-to-fill positions and we usually have a succession plan in place but there are some positions that are hard to fill and require extra effort to attract the right candidates. We have been successful in the way that we look at hiring and how we shifted our focus to incorporate equitable and diverse practices in our recruiting processes. To attract the right candidates that also would attribute to our diversity goals, we thought it was important that our screening committee and interview panels were diverse in race and gender. This is critical as you get more diverse opinions on the applicants that are being screened and interviewed for our positions. Additionally, as we face a national Teacher shortage, the department has worked with the Local Education Agencies (LEAs) to provide support with educational recruitment. Additionally, we have looked at processes to see how we can expand opportunities to those that may not otherwise have exposure to them. We have worked with our Licensure and Certification team to be able to work with educators who are in the process of being licensed to see if there are people who are almost at the point of licensure and offering them positions on a contingency basis and giving them time to complete their licensure.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Creating a recruiting process that promotes diversity and inclusion.	Requiring screening and interview panels to be diverse in race and gender.	HR and Workgroups	Required this for all position recruitment panels. If there are issues, the workgroups work with HR.	Implemented. Will be an ongoing process.

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**SECTION IV: WORKFORCE ANALYSIS**

**DOE Overview:**

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The Department of Education (DOE) underrepresented minorities in four EEO-4 categories. DOE has 266 employees and minorities represent 24% of the DOE's workforce, which is a trend over the last 2 years.

Below are observable trends that affect DOE's opportunity to increase diversity in its workforce:

- DOE is underrepresented in the Officials & Administrators EEO-4 category by 20%, with 5 out of 25 employees being minorities. DOE is underrepresented in the Professionals EEO-4 category by 21%, which is our largest category with 32 out of 156 employees being minorities. DOE is underrepresented in the Technicians category by 39%, with 11 out of 28 employees being minority. In the Office & Clerical category, DOE is also underrepresented by 30%, with 17 out of 57 employees being minorities. DOE should work to enhance the diversity in these categories while also selecting the best candidate for the position.
- DOE does not currently track the demographics of our applicants through our applicant tracking system. In order to get more insight on our applicants, DOE should consider adding a self-identification questionnaire to the system so we can better track this information.
- DOE does not have specific detail on hard-to-fill positions but has seen where it has been challenging to fill Support Staff positions, Office of Child Care Licensing positions, and some of our Prison Education Instructor positions. We were able to increase the salaries for our support staff during FY budget changes for FY23. We are currently reviewing if our OCCL positions need to be reclassified and brought under our certified staff salary schedule. We are looking at different ways to market our Prison Education positions to get more exposure to a broader group of applicants.
- DOE should require manager education on leadership/supervisory skills to improve workplace culture and equity. They also should facilitate compliance of HR personnel policies by using performance plans to document expectations for every manager.

In summary, DOE needs to work on identifying ways to obtain a more diverse applicant pool. DOE will need to get a self-identification module so we can start tracking the type of applicant pool we are attracting. DOE will continue to look at our hard-to-fill positions to develop ways to recruit and retain applicants in these positions. We will look at salary disparities as well as other recruitment sites that may be more suitable for these positions. DOE should continue to evaluate the roles of supervisor and managers with respect to meeting their responsibilities as they relate to EEO/AA and ensure they have ongoing Manager education on leadership and supervisory skills to make the working environment inclusive and keep employees engaged.

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## **DOE Demographics at a Glance:**

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The total number of DOE employees as of June 30, 2022, by EEO-4 category is 266.

The DOE EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DOE workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DOE workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender.

The following summary of findings were derived from this data:

### **Minority Representation:**

- Minorities represent 24% of the total DOE workforce, a 1% increase from FY21
- Minorities are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-5%)
  - Professionals (-8%)
  - Office & Clerical (-1%)

### **Female Representation:**

- Females represent 73% of the total DOE workforce, a 1% increase from FY21.
- Females exceed the regional labor market in all EEO-4 categories.

### **Male Representation:**

- Males represent 27% of the DOE workforce, a 1% decrease from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-19%)
  - Professionals (-7%)
  - Technicians (-39%)
  - Office & Clerical (-32%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	7	1	1	0	0	0	0	9	36%		13	3	0	0	0	0	0	16	64%		25	5	20%
2 Professionals	45	7	1	1	0	0	0	54	35%		79	17	2	3	0	0	1	102	65%		156	32	21%
3 Technicians	1	1	0	1	0	0	0	3	11%		16	7	2	0	0	0	0	25	89%		28	11	39%
4 Protective Services	0	0	0	0	0	0	0	0	0%		0	0	0	0	0	0	0	0	0.00%		0	0	0.00%
5 Para Professional	0	0	0	0	0	0	0	0	0%		0	0	0	0	0	0	0	0	0.00%		0	0	0.00%
6 Office & Clerical	6	0	0	0	0	1	0	7	12%		34	11	4	0	0	1	0	50	88%		57	17	30%
7 Skilled Craft	0	0	0	0	0	0	0	0	0%		0	0	0	0	0	0	0	0	0.00%		0	0	0.00%
8 Service Maintenance	0	0	0	0	0	0	0	0	0%		0	0	0	0	0	0	0	0	0.00%		0	0	0.00%
<b>Totals</b>	<b>59</b>	<b>9</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>73</b>	<b>27%</b>	<b>0</b>	<b>142</b>	<b>38</b>	<b>8</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>193</b>	<b>73%</b>	<b>0</b>	<b>266</b>	<b>65</b>	<b>24%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	20%	-5%	16%	4%	0%	0%	0%	0%
2 Professionals	29%	21%	-8%	15%	2%	3%	0%	0%	1%
3 Technicians	38%	39%	2%	29%	7%	4%	0%	0%	0%
4 Protective Services	37%	0%	NA	0%	0%	0%	0%	0%	0%
5 Para Professional	34%	0%	NA	0%	0%	0%	0%	0%	0%
6 Office & Clerical	31%	30%	-1%	19%	7%	0%	0%	4%	0%
7 Skilled Craft	26%	0%	NA	0%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	0%	NA	0%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	64%	19%	52%	12%	0%	0%	0%	0%	0%
2 Professionals	59%	65%	7%	51%	11%	1%	2%	0%	0%	1%
3 Technicians	50%	89%	39%	57%	25%	7%	0%	0%	0%	0%
4 Protective Services	19%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	77%	0%	NA	0%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	65%	88%	23%	60%	19%	7%	0%	0%	2%	0%
7 Skilled Craft	6%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	0%	NA	0%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	36%	-19%	28%	4%	4%	0%	0%	0%	0%
2 Professionals	41%	35%	-7%	29%	4%	1%	1%	0%	0%	0%
3 Technicians	50%	11%	-39%	4%	4%	0%	4%	0%	0%	0%
4 Protective Services	81%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	23%	0%	NA	0%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	12%	-23%	11%	0%	0%	0%	0%	2%	0%
7 Skilled Craft	94%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	0%	NA	0%	0%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and Agency demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022

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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	2%	-1%	-5%
2 Professionals	-2%	-7%	-8%
3 Technicians	-4%	-6%	2%
4 Protective Services	N/A	N/A	N/A
5 Paraprofessional	N/A	N/A	N/A
6 Office & Clerical	-1%	-9%	-1%
7 Skilled Craft	N/A	N/A	N/A
8 Service Maintenance	N/A	N/A	N/A

**Table 6** **Female Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	17%	27%	19%
2 Professionals	4%	7%	7%
3 Technicians	23%	25%	39%
4 Protective Services	N/A	N/A	N/A
5 Paraprofessional	N/A	N/A	N/A
6 Office & Clerical	24%	26%	23%
7 Skilled Craft	N/A	N/A	N/A
8 Service Maintenance	N/A	N/A	N/A

**Table 7** **Male Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	-17%	-27%	-19%
2 Professionals	-4%	-7%	-7%
3 Technicians	-23%	-25%	-39%
4 Protective Services	N/A	N/A	N/A
5 Paraprofessional	N/A	N/A	N/A
6 Office & Clerical	-24%	-23%	-23%
7 Skilled Craft	N/A	N/A	N/A
8 Service Maintenance	N/A	N/A	N/A

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

Table 8

<b>Total Complaints by Gender as of 06/30/2022</b>	
Male	2
Woman	3
Non-Binary	0
Not Identified	0
<b>Total</b>	<b>5</b>
<b>Total Complaints by Race/Ethnicity as of 06/30/2022</b>	
Black - African American	2
Asian	0
Hispanic/Latinx	0
Native American/Alaskan Native	0
Not identified	0
Pacific Islander/Native Hawaiian	0
Two or more races	0
White	3
<b>Total</b>	<b>5</b>
<b>Total Complaints by Employment Status as of 06/30/2022</b>	
Merit	0
Non-Merit Exempt	5
Casual/Seasonal	0
Temp/Contract	0
<b>Total</b>	<b>5</b>
<b>Total Complaints by Category as of 06/30/2022</b>	
Informal	2
Formal	3
External	0
<b>Total</b>	<b>5</b>

<b>Total Complaints by Type as of 06/30/2022</b>	
ADA	0
Discrimination	1
Gender	0
Generic Issue	3
Harassment	0
Hostile Work Environment	1
Merit Rule	0
Misconduct	0
Retaliation	0
Sexual Harassment	0
Workplace Violence	0
<b>Total</b>	<b>5</b>
<b>Total Complaints by Current Status as of 06/30/2022</b>	
Open	2
Closed	3
<b>Total</b>	<b>5</b>
<b>Total Complaints by Resolution as of 06/30/2022</b>	
To be Determined	2
Substantiated	0
Unsubstantiated	3
<b>Total</b>	<b>5</b>

Table 8 illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

Table 8 data were obtained from agency internal records during FY22.

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2020		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	1	100%	0	0%	-100%
Total Female Minority Disciplines	0	0%	0	0%	0%
Total Male Non-Minority Disciplines	0	0%	0	0%	0%
Total Male Minority Disciplines	0	0%	0	0%	0%
<b>Total Disciplines</b>	<b>1</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>-100%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	13	52%	20	50%	35%
Total Female Minority Separations	3	12%	9	23%	67%
Total Male Non-Minority Separations	8	32%	8	20%	0%
Total Male Minority Separations	1	4%	3	8%	67%
<b>Total Separations</b>	<b>25</b>	<b>100%</b>	<b>40</b>	<b>100%</b>	<b>38%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	18	55%	23	48%	22%
Total Female Minority New Hires	5	15%	13	27%	62%
Total Male Non-Minority New Hires	7	21%	9	19%	22%
Total Male Minority New Hires	3	9%	3	6%	0%
<b>Total New Hires</b>	<b>33</b>	<b>100%</b>	<b>48</b>	<b>100%</b>	<b>31%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	9	69%	7	50%	-22%
Total Female Minority Promotions	3	23%	2	14%	-33%
Total Male Non-Minority Promotions	0	0%	5	36%	100%
Total Male Minority Promotions	1	8%	0	0%	-100%
<b>Total Promotions</b>	<b>13</b>	<b>100%</b>	<b>14</b>	<b>100%</b>	<b>7%</b>

**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*



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**SECTION VII: EMPLOYEE ENGAGEMENT**

**Table 10**

**DOE uses its own independent training methods. Therefore, this data is not currently available.**

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**Table 10** displays the total number of attendees for D&I-related training courses by gender and minority status.

**Table 11**

**DOE Tuition Reimbursement Data is not currently available.**

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**Table 11** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 10 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022*

*Table 11 data were obtained from agency internal records during FY22.*

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**Table 12**

	EXIT SURVEY SUMMARY					
	EXCELLENT	GOOD	AVERAGE	BELOW	POOR	TOTAL
Agency as a place to work	0%	0%	0%	0%	100%	
	0	0	0	0	1	1
Opportunity for advancement or promotion	0%	0%	0%	100%	0%	
	0	0	0	1	0	1
Recognition of accomplishments/contributions	0%	100%	0%	0%	0%	
	0	1	0	0	0	1
Relationships with co-workers	100%	0%	0%	0%	0%	
	1	0	0	0	0	1
Relationship with your manager/supervisor	100%	0%	0%	0%	0%	
	1	0	0	0	0	1
Agency commitment to quality and customer service	0%	0%	0%	0%	100%	
	0	0	0	0	1	1
Work area tools available to perform the functions of your job	0%	0%	0%	0%	100%	
	0	0	0	0	1	1
Performance goals were clear and you knew what was expected of you in your job	100%	0%	0%	0%	0%	
	1	0	0	0	0	1
Training and development needs were assessed and met	100%	0%	0%	0%	0%	
	1	0	0	0	0	1
Benefits package	0%	100%	0%	0%	0%	
	0	1	0	0	0	1
Compensation	0%	0%	0%	0%	100%	
	0	0	0	0	1	1
Family-Friendly Workplace	100%	0%	0%	0%	0%	
	1	0	0	0	0	1

**Table 12** illustrates Exit Survey Summary data for employees who left the Department and were willing to respond.

*Table 12 data were obtained from the employee responses provided on an online survey during FY22.*

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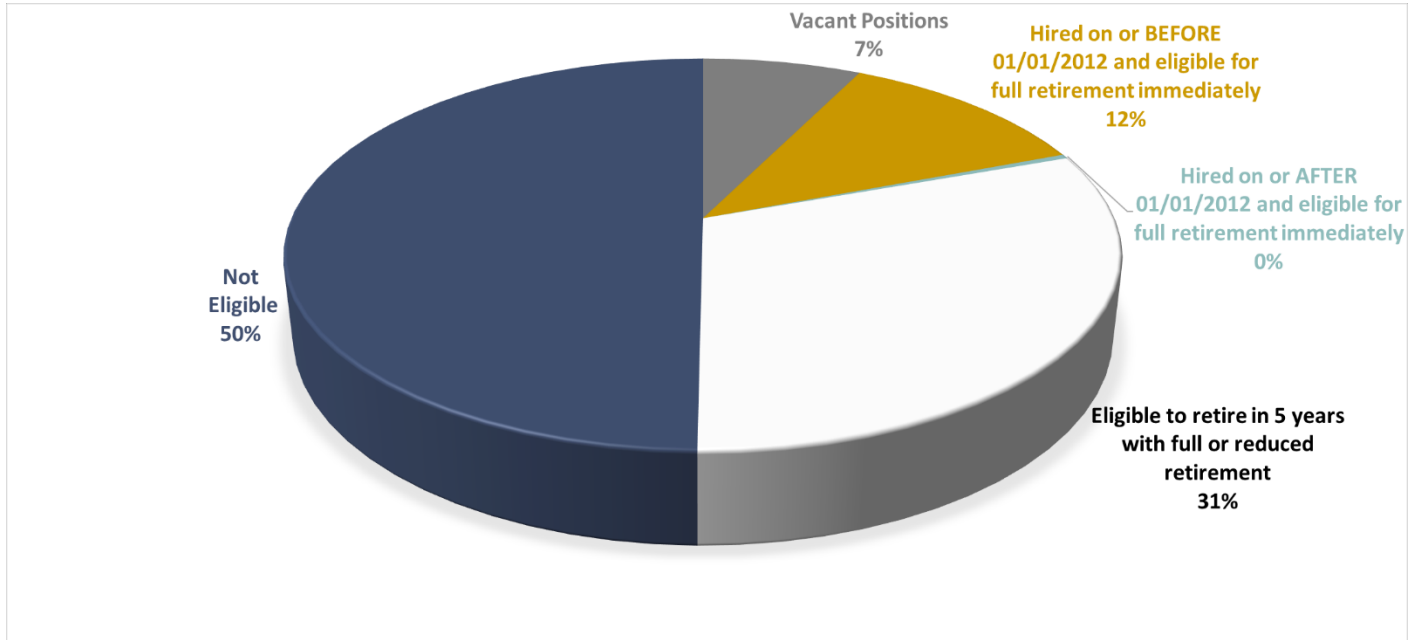
**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**DOE uses its own independent recruitment methods. Therefore, recruitment and retention data are not currently available. DOE will work to implement recruitment and retention metrics on future reports.**

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 17**



**Figure 17** illustrates the percentage of positions based on their retirement eligibility status.

*Figure 17 data were obtained from the PHRST system as of 06/30/2022.*

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 18**

<b>Academic Support</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
43	39	4	8	0	16	15
<b>Early Childhood Support</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
37	34	3	0	0	4	30
<b>Educator Support</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
32	29	3	0	0	8	21
<b>Student Support</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
36	34	2	2	0	14	18
<b>Operations Support</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
52	51	1	5	0	23	23
<b>Office of the Secretary</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
17	16	1	2	0	2	12
<b>Career and Technical Education</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
3	2	1	1	0	0	1
<b>Special Needs/Drivers Training</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
67	61	6	16	1	21	23
<b>Department of Education Totals</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
287	266	21	34	1	88	143

**Table 18** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

Table 18 data were obtained from the PHRST system as of 06/30/2022.

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Prioritize Key Work.	Development of job descriptions for all employees and have employees sign that they understand their responsibilities.	Workgroup Directors and Human Resources	Will need input from Directors and Employees about the work that they do to reflect appropriately within the job descriptions.	The projected date to launch this will be 06/30/2023.
SP-1 Goal 2	Connecting the work of individuals and workgroups to the overall vision.	Key results will limit siloed work and promote cross-team collaboration across the agency.	All Staff	We will need to work with teams across the agency to understand the work that each team is doing. This may include external partners.	The projected target date to launch this will be 6/30/2023.
SP-1 Goal 3	Provide Equity and Inclusion Training to all employees.	Create an acknowledgment form to show that all employees have been trained and develop a plan to train staff. annually	All employees	Will work with Equity Council to develop a training to issue to the staff.	In progress

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition. \*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Develop leadership training to assist leadership with the tools to effectively lead their teams.	Creation of a formal leadership training program and then facilitating training sessions with leadership.	HR Officer, Chief of Staff, and Secretary of Education.	Work with DHR to get a template of any existing training programs.	The target date to launch will be March 2023
SP-2 Goal 2	Supervisors and Managers will be trained to effectively fulfill and understand their responsibilities related to EEO to make appropriate employment decisions.	Develop helpful tools for leadership that can assist leaders with managing a diverse group of employees.	Workgroup Directors and Supervisors	Work with DOE HR and DHR to develop these tool.s	The target date to launch will be by July 1, 2023.
SP-2 Goal 3	Work to implement a performance management process that is free of discrimination.	Developing a progressive discipline plan and forms to document employee concerns formerly. This will help consistency in addressing performance concerns.	Human Resources	Work with DHR to look at existing progressive discipline procedures.	The target date to launch will be by January 1, 2023.

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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Develop an annual training curriculum for all employees.	Documented list training to be included in the policy and procedure manual.	Human Resources	Look at existing training and work with Directors to see what training is needed.	The target date to launch will be by July 1, 2023.
SP-3 Goal 2	Employee Recognition Program that meets the needs of our employees.	Write the official employee recognition plan and survey staff to see what kind of employee recognition meets their needs.	Human Resources	Work with DHR to implement this plan.	The target date to launch will be by January 1, 2023.
SP-3 Goal 3	Develop succession plans for positions.	Working with individual positions to cross-train employees and to leave department-specific procedures for each team.	Workgroup Directors	Work internally with Leadership.	The target date will be ongoing and a long-term goal.





Delaware Department of Finance (DOF)

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FY22 EEO/AA Report and FY23 Action Plan


Fiscal Year 2022



STATE OF DELAWARE  
DEPARTMENT OF FINANCE  
OFFICE OF THE SECRETARY

**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: Richard J. Geisenberger   
Secretary of Finance

SUBJECT: Department of Finance  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

DATE: December 16, 2022

Attached is a copy of the Department of Finance FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.


If you have any questions, please feel free to contact me at 302-577-8546 or [Richard.Geisenberger@delaware.gov](mailto:Richard.Geisenberger@delaware.gov).

Thank you.

Enclosures

**STATE OF DELAWARE**  
**DEPARTMENT OF FINANCE (DOF)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> **The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.



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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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**9. Associated Policy/Regulations/Information**

- a. The procedures under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a target of discrimination or harassment under State or federal law.
- b. Making a complaint according to this policy will not extend the time frames, prescribed by statute, by which any person must file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a CBA, if applicable, or any court or regulatory body.
- c. The deadline for filing a charge with the DDOL or the EEOC under State and federal laws is three hundred (300) days from the date of the alleged discriminatory action.
- d. [Standards of Conduct Policy and Procedures](#)

**10. Appendices and Forms**

- [Respectful Workplace and Anti-Discrimination Complaint Form](#)
- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Labor Relations and Employment Practices
- **Policy Administrator:** Director of the Division of Labor Relations and Employment Practices
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*



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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

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The Department of Finance (DOF) is continually working to produce, maintain and retain a diverse and inclusive workforce. We are committed to ensuring that our employment practices are fair and non-discriminatory. Workforce data is analyzed periodically to track under-utilization of representation of minorities, females, and male employees by EEO-4 job categories. DOF will continue to focus special attention involving recruitment and retention efforts for females in the Paraprofessional and Technician fields. Our action plan for the FY23 Affirmative Action Plan year will strive to move us forward in attaining parity. We continue to ensure that applicants and employees are not discriminated against based upon the person's race, color, national origin, gender, age, sex, pregnancy, marital status, sexual orientation, gender identity or expression, religion, creed, disability or veteran's status, family responsibility or as a result of being a victim of domestic violence, sexual assault or stalking, or any other category protected by state and/or federal civil rights laws; this includes but is not limited to the following practices: hiring, promotions, demotions, transfers, recruitment, terminations, and training. The department publishes vacancies in a variety of methods (print media, intra-departmental announcements, internet sites such as linked-in and handshake, industry associations, etc.) to reach a diverse labor market. The Department routinely uses a diverse three-person interview panel to select candidates for all merit vacancies.

FY22 has proven to be a challenging time for purpose of recruiting and retaining employees within the Department of Finance's workforce. Once the height of the COVID-19 pandemic subsided, most State employees returned to working a hybrid telecommuting schedule. Some pension-eligible employees chose to immediately retire, while other employees accepted private sector jobs that offered 100 percent telework and/or voluntarily decided to resign, so, they could take care of their under-school-aged children. To retain employees, the Department of Finance continued to offer alternative flexible hybrid telecommuting work schedules. The Lottery Office employees, whose essential job functions require them to be on-site, were offered to work compressed shifts, so, they would gain an additional day off during the week. The impact of COVID-19 on talent acquisition recruitment purposes appears to have occurred statewide. Like other state agencies, the Finance Department received less qualified applicants applying for its job postings. During FY22, it was not unusual to extend and/or cancel job postings since the total number of qualified applicants applying for vacant full-time positions declined. This unfortunate hiring trend became even more challenging when it involved hiring for hard-to-fill and high-turnover vacant positions. To address this recruitment/hiring challenge, the Finance Department worked with the Department of Human Recourses to offer signing hiring and retention incentives to external candidates initially entering state employment. DOF intends to continue this initiative into FY23.

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To address employee retention, the Department of Finance worked with the Department of Human Resources to create a new career ladder for the Lottery Drawing Specialists, along with revamping the existing State Accountant II to III career ladder series within the Division of Accounting (DOA). DOA Employees receive the same training, in addition to learning the general ledger module and two additional modules. This supplementary training prepared candidates for future DOA promotional opportunities. Two DOA candidates successfully completed the updated career ladder. Also, within the Office of Unclaimed Property, an employee was elevated through their new career ladder for claims examiners. Both divisions anticipate additional employees will benefit from career ladder programs in FY23. The Division of Revenue plans to revamp its Tax Auditor career ladder series. Furthermore, for FY23, approximately one hundred seven (107) Department of Finance job classifications have been designated for a class maintenance review process. Department of Human Resources shall perform a detailed review and analysis of DOF job classifications against current work being performed by DOF employees. The FY23 class maintenance review shall provide an opportunity to ensure class specifications are aligned with best business practices within the fiscal field.

During FY22, the Department of Finance initiated several new training initiatives, team building/employee engagement activities, and workplace improvements within each Division. The Division of Accounting's training centered around implementing periodic knowledge-sharing sessions between its managers and employees. Five State Accountants attended local American Government Association Training. DOA purchased training for its financial reporting teams, along with memberships from the Institution of Finance and Management, so, its employees were trained in accounts payable best practices. Throughout the year, management hosted several employee recognitions events, along with scheduling employee engagement activities such as team scavenger hunts, holiday decorating, collecting funds for Code Purple, and several trivia contest events. DOA addressed employee climate survey concerns about building security. Now, employees entered the building via their security badges. An intercom system was installed for members of the public who need to access both the Office of State Treasurer and Division of Accounting. The Office of Unclaimed Property provided fraud detection training for its claims unit staff and its Deputy Director graduated from the Government Efficiency and Accounting Review (GEAR) Continuous Improvement Program (CIP). In fact, during FY22, fifty-two State employees graduated and from this program which acknowledges best practices in continuous improvements amongst all state employees. During FY22, the Office of Unclaimed Property (OUP) hosted weekly touchpoint meetings with their staff for purposes of improving communication, and transparency, soliciting employee input, and streamlining existing workloads. Several staff appreciation events were held throughout the year, along with providing healthy snacks, a variety of trivia events, along with March Madness sporting event. For Diversity and Inclusion initiatives, OUP continues to partner with Precisionists, Inc which is a corporation that creates jobs for a broad range of neurodiversity abilities.



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During FY22, the Division of Revenue (DOR) referred twelve employees for a six-month supervisory training program entitled, Excellence and Leadership Transformation. Due to its success, DOR plans to recommend additional staff for this supervisory program during FY23. For employee engagement and team building initiatives, DOR provided weekly town hall meetings with its employees for purposes of providing agency updates for the Integrated Revenue Administrative System (IRAS) project, along with bi-weekly training which is required to successfully implement the tax modernization project. Plus, DOR hosted several employee recognition events, including events that recognized long-standing DOR employees who retired with 20 to 40 years of state service. Regarding workplace improvements, a first-floor renovation plan was developed to enhance customer service and workspace for its employees. This American Disability Act (ADA) compliant workplace improvement is slated for FY23. The Lottery Office training initiatives centered around monthly cyber training, DHR supervisory Development Courses, and Learning Centers Frontline Leadership Program. In FY22, the Lottery Office conducted quarterly meetings with its Gaming Inspectors and began bi-weekly teams meeting with the Department of Technology and Information (DTI). Lottery Employees participated in “Stuff the Bus” and “Adopt a Family and Resident” charity events. Lottery management hosted quarterly employee recognition events, such as an ice cream social, soft pretzel, and brown bag lunches which are in addition to its annual summer picnic and Holiday event.

The Department of Finance (DOF) FY23 action plans will entail augmenting management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce. For FY23, DOF intends to launch the “Pathways” program, with Howard Technical High School, the only high school located within the City of Wilmington. DOF strives to foster a future young talent applicant pool residing inside the City for its financial entry-level jobs, which do not require an advanced degree. This talent acquisition initiative is needed since twenty percent of the DOF workforce is currently retirement eligible. Also, cross-training within each Division is to be conducted to retain the current DOF workforce, reduce turnover, and provided employees with career development opportunities for advancement. The Division of Revenue intends to offer its second session of the Excellence in Transformation Leadership (ELT) Program. Additional professional staff development, education, and awareness programs will include the continuation of the Statewide Initiative led by The Government Efficiency and Accountability Review (GEAR) Continuous Improvement Program, specialized training for each Division, along with offering training that benefits the entire workforce. Several action plans proposed for FY23 DOF workplace environment, climate, and culture include implementing a wellness initiative, fostering educational assistance, revamping public service workspaces for taxpayers and its employees, continuing to offer applicants hiring and retention bonuses, along with hosting both in-person and virtual “team building” employee recognition events for its workforce.

<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Office of the Secretary	42
Division of Accounting	51
Division of Revenue	129
State Lottery Office	49
<b>TOTALS</b>	<b>271</b>

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## **Responsibilities for Implementation**

### **RESPONSIBILITIES STATEMENT**

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The Cabinet Secretary oversees the implementation of the Department's Affirmative Action Plan to ensure it is implemented promptly and effectively. HR Supervisor Diane Bourne (302.577.8987) [Diane.Bourne@delaware.gov](mailto:Diane.Bourne@delaware.gov) under the direction of Deputy Secretary Rebecca Goldsmith (302.577.8999) [rebecca.goldsmith@delaware.gov](mailto:rebecca.goldsmith@delaware.gov), implements the Affirmative Action Plan and ensures that managers comply with federal and state laws, regulations and executive orders.

#### **The Cabinet Secretary will have the following duties and responsibilities:**

- Designate a staff person to carry out all EEO/AA functions for the Department, including those duties and obligations described in Executive Order Number 30.
- Ensure that Affirmative Action efforts are included in the performance plans of managers and supervisors, so they are held accountable.
- Discuss the department's Affirmative Action commitment and progress at leadership meetings.
- Act whenever possible to eliminate problems of under-representation and discrimination within the Department.

#### **The Affirmative Action Officer's duties and responsibilities include:**

- Develop and implement an EEO/AA plan for the Department of Finance.
- Analyze statistical data to determine problem areas and department needs for Affirmative Action and workforce diversity strategy and action plan.
- In conjunction with Division Directors, develop strategies and a plan of action to correct specific EEO problem areas within the Department.
- Provide guidance to managers to increase their understanding of and compliance with EEO/AA.
- In conjunction with Division, Directors, investigate and facilitate a resolution to discrimination complaints.
- Meet with managers and supervisors to assure compliance with EEO/AA and fair employment practices.
- Review the process for interviewing candidates for all positions to determine if artificial barriers prevent the advancement of women and employees who are members of a minority group.
- Provide a copy of the Department's annual Affirmative Action Plan to any employee upon request.

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**The Division Directors’ responsibilities include:**

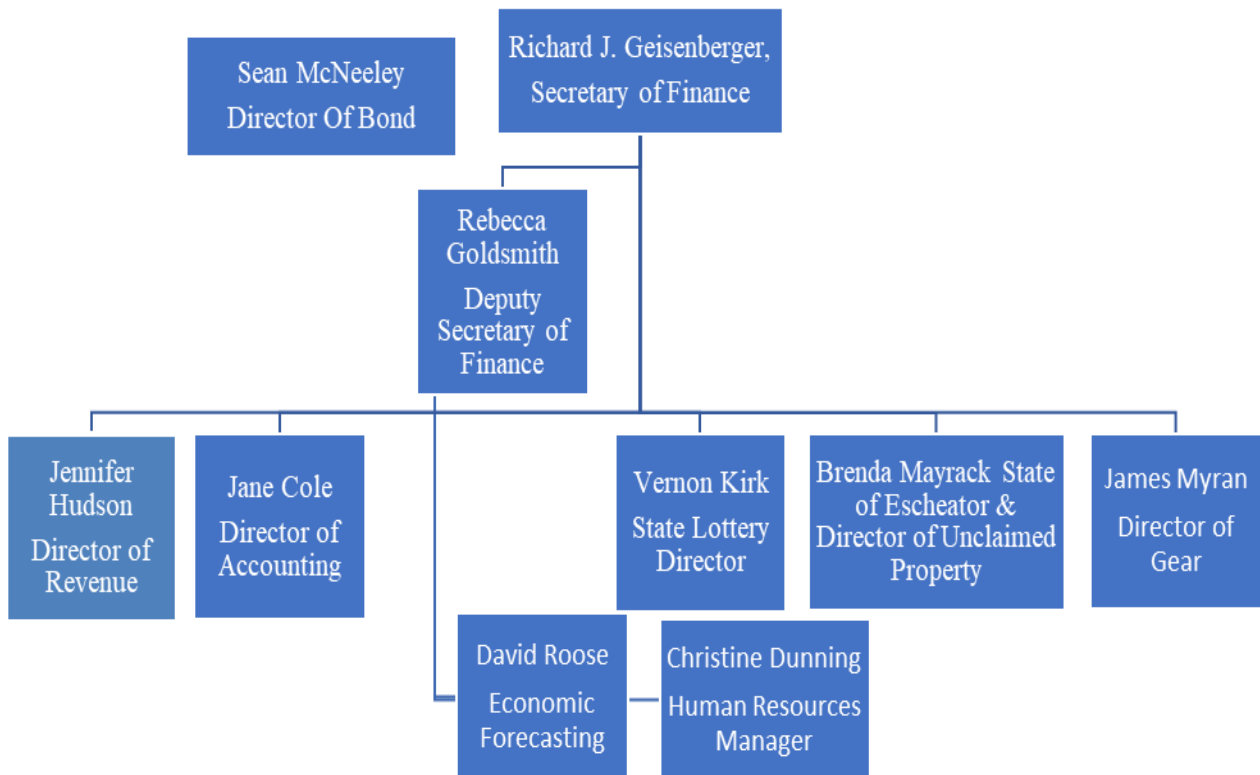
- Communicate support for the Affirmative Action Program to all employees.
- Adhere and govern themselves accordingly to same.
- Ensure their employees understand this information including the complaint process.
- Promote, participate in, and support equal opportunity for all employees with regard to training and advancement.

**Hiring managers and supervisors have the responsibility to:**

- Distribute Affirmative Action literature they receive to their employees.
- Adhere and govern themselves accordingly to same.
- Ensure their employees understand this information, including the complaint process.
- Support and actively participate in the Department’s Affirmative Action, EEO, Diversity, and related training.

**Employees have the responsibility to:**

- Be receptive to all information disseminated by the Affirmative Action Officer.
- Follow all Affirmative Action policies and procedures.
- Actively Participate in Department Affirmative Action, EEO, Diversity, and related training.



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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY 1 (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Improve methods for integrating remote work with in-person interactions.	Microsoft teams implemented  90% of DOF employee(s) have hybrid telework schedules.	DOF Divisional Directors and supervisory management staff	Employees submitted hybrid telework requests, reviewed and approved by Divisional Directors in accordance with DHR policy guidelines.  Each Division hosted in-person and virtual employee recognition events and employee engagement events.	This initiative was completed end of FY22
SP-1 Goal 2	Implement “hotel space in our DOF IT group	Availability of physical DTI personnel access within all DOF work locations	DOF & DTI	Renovated space set aside for DTI and DOF employees	Completed by end of FY22
SP-1 Goal 3	Participate in DHR Climate Survey	Close to half of DOF employees responded to the anonymous survey.	DHR	Townhall meetings are held within each Division to address anonymous concerns raised by employees.	DHR Climate Survey completed October 2021, anonymous results shared with Finance Department

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**STRATEGIC PRIORITY 2 (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	DOF would continue to develop supervisory management training.	52 employees statewide graduated from the GEAR CIP program.  Total number of DOF employees who completed Supervisory training.	DOF	Gear Continuous Improvement Training. Frontline Leadership and Supervisory Development Certificate Program. ELT Program administered.	Completed prior to the end of FY22.
SP-2 Goal 2	Increase training on HR processes that are unique to State.	Total number of DLC courses attended by employees specific to DHR.	DHR	Employees participated in training unique to DHR, such as Trauma Awareness, Gender Identity, and Workplace Wellness.	Completed.
SP-2 Goal 3	Leadership Development program piloted by the Division of Revenue.	Twelve Division of Revenue (DOR) employees who participated in the six-month program graduated.	Division of Revenue	Division of Revenue employees attended six months of leadership training.	Completed FY22.  Plan to continue the program in January 2023.

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Divisions lose employees to other state agencies and the private sector.	Reduce turnover rates for hard-to fill job classifications  Requisition to Post and Close to Referral decreased, Average time to hire (days) decreased.	DOF and DHR	Worked with DHR on job classifications and new and updating career ladders.  Recruitment and Retention bonus were implemented for hard-to-fill positions with high turnover rates.	Completed by end of FY22.
SP-3 Goal 2	Advance salary requests are time-consuming and difficult to compete in a tight labor market.	Reduce time of advance salary reviews and obtain all three required signatures.	DOF & DHR	Complete forms and deliver them to DHR within 1 to 2 business days.  Assist hiring managers in filling out request forms.	Still on-going
SP-3 Goal 3	DOF HR is understaffed.	Workload assessment of tasks performed by DHR.	DOF, DHR & OMB	FY22 budget justification completed for HR Advisor III position.	Completed upon the passing of the FY23 budget.

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**SECTION IV: WORKFORCE ANALYSIS**

**DOF Workforce Analysis Overview:**

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The Department of Finance (DOF) is underrepresented for Minorities in two EEO-4 categories. DOF has 271 employees and minorities represent 45% of the DOF workforce, a 1% increase from FY21.

Below are observable trends that affect DOF's opportunity to increase diversity in its workforce:

- DOF is significantly underrepresented for Females in two categories: Technicians (-15%) and Paraprofessionals (-10%). Although females are not represented in the Service maintenance category, DOF only has one employee in that category.
- DOF has a 68% female applicant pool and must find ways to hire and retain female employees in underrepresented categories.
- DOF has difficulty filling positions in Lottery Drawing Specialists, Lottery Field Representatives, State Accountants I-III, and Tax Auditors I-III. The Field Representatives are required to travel for their job which combined with salary typically leads to low applicant pools. State Accountants and Tax Auditors are in high demand, but applicant pools are low, leading to short staffing and turnover.
- DOF must improve employee retention by providing more development, training, and promotional opportunities to encourage employees to realize career growth within the agency.
- DOF should continue to improve manager education on leadership/supervisory skills not only to ensure an inclusive environment but also to equip managers with the knowledge and tools necessary to provide training and mentorship to employees.
- Being located centrally in downtown Wilmington, DOF must continue to Work with the Career Team, DOL Employment and Training, and several City of Wilmington Job Training Programs to recruit minority applicants who live within the City limits.
- DOF is active at job fairs and recruiting events and must continue to promote their agency to diverse area Universities and within the community.
- DOF should target recruitment efforts towards diverse schools and promote job shadowing and internships through The Delaware Pathways Program to provide exposure to students.

In summary, DOF has diversity in most areas but must attract Female and Minority Technicians and Paraprofessionals. DOF must stay active in Job Fairs and engage with area Universities with Finance Programs. The Delaware Pathways Program also provides a great opportunity to expose students to the field and engage them via training and internship opportunities. The increased focus must be placed on manager training for both effective communication and to facilitate career growth and longevity for employees.

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## **DOF Demographics at a Glance:**

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The total number of DOF employees as of June 30, 2022, by EEO-4 category is 271.

The DOF EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DOF workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DOF workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DOF does not hire in the Protective Services and Skilled Craft EEO-4 categories.

The following summary of findings were derived from this data:

### **Minority Representation:**

- Minorities represent 45% of the total DOF workforce, a 1% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Technicians (-8%)
  - Paraprofessionals (-17%)

### **Female Representation:**

- Females represent 70% of the total DOF workforce a 1% increase from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Technicians (-15%)
  - Paraprofessionals (-10%)
  - Service Maintenance (-44%)

### **Male Representation:**

- Males represent 30% of the DOF workforce, a 1% decrease from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-16%)
  - Professionals (-14%)
  - Office & Clerical (-15%)



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**EEO-4 Status Report FY 2022  
(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	12	2	0	0	0	0	0	14	39%	0	14	4	1	2	0	1	0	22	61%	1	36	10	28%
2 Professionals	26	7	2	0	0	0	2	37	27%	1	58	27	5	9	0	0	1	100	73%	4	137	53	39%
3 Technicians	11	1	0	1	0	0	0	13	65%	0	3	3	1	0	0	0	0	7	35%	0	20	6	30%
4 Protective Services	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
5 Para Professional	2	1	0	0	1	0	0	4	33%	0	8	0	0	0	0	0	0	8	67%	0	12	2	17%
6 Office & Clerical	6	5	1	1	0	0	0	13	20%	1	9	35	4	2	0	0	2	52	80%	1	65	50	77%
7 Skilled Craft	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
8 Service Maintenance	0	1	0	0	0	0	0	1	100%	0	0	0	0	0	0	0	0	0	0.00%	0	1	1	100%
<b>Totals</b>	<b>57</b>	<b>17</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>82</b>	<b>30%</b>	<b>2</b>	<b>92</b>	<b>69</b>	<b>11</b>	<b>13</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>189</b>	<b>70%</b>	<b>6</b>	<b>271</b>	<b>122</b>	<b>45%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	28%	3%	17%	3%	6%	0%	3%	0%
2 Professionals	29%	39%	10%	25%	5%	7%	0%	0%	2%
3 Technicians	38%	30%	-8%	20%	5%	5%	0%	0%	0%
4 Protective Services	37%	0%	NA	0%	0%	0%	0%	0%	0%
5 Para Professional	34%	17%	-17%	8%	0%	0%	8%	0%	0%
6 Office & Clerical	31%	77%	46%	62%	8%	5%	0%	0%	3%
7 Skilled Craft	26%	0%	NA	0%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	100%	55%	100%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	61%	16%	39%	11%	3%	6%	0%	3%	0%
2 Professionals	59%	73%	14%	42%	20%	4%	7%	0%	0%	1%
3 Technicians	50%	35%	-15%	15%	15%	5%	0%	0%	0%	0%
4 Protective Services	19%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	77%	67%	-10%	67%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	65%	80%	15%	14%	54%	6%	3%	0%	0%	3%
7 Skilled Craft	6%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	0%	-44%	0%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	39%	-16%	33%	6%	0%	0%	0%	0%	0%
2 Professionals	41%	27%	-14%	19%	5%	1%	0%	0%	0%	1%
3 Technicians	50%	65%	15%	55%	5%	0%	5%	0%	0%	0%
4 Protective Services	81%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	23%	33%	10%	17%	8%	0%	0%	8%	0%	0%
6 Office & Clerical	35%	20%	-15%	9%	8%	2%	2%	0%	0%	0%
7 Skilled Craft	94%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	100%	44%	0%	100%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and [AGENCY] demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	0%	2%	3%
2 Professionals	-22%	7%	10%
3 Technicians	-5%	-10%	-8%
4 Protective Services	NA	NA	0%
5 Paraprofessional	-10%	-5%	-17%
6 Office & Clerical	75%	47%	46%
7 Skilled Craft	NA	NA	0%
8 Service Maintenance	NA	55%	55%

**Table 6** **Female Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	16%	17%	16%
2 Professionals	18%	10%	14%
3 Technicians	-21%	-18%	-15%
4 Protective Services	NA	NA	0%
5 Paraprofessional	-39%	-19%	-10%
6 Office & Clerical	-15%	23%	15%
7 Skilled Craft	NA	NA	0%
8 Service Maintenance	NA	-44%	-44%

**Table 7** **Male Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	-16%	-17%	-16%
2 Professionals	-18%	-10%	-14%
3 Technicians	21%	18%	15%
4 Protective Services	NA	NA	0%
5 Paraprofessional	39%	19%	10%
6 Office & Clerical	15%	-23%	-15%
7 Skilled Craft	NA	NA	0%
8 Service Maintenance	NA	44%	44%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

**Table 8**

<b>Total Complaints by Gender As of 06/30/2022</b>	
Male	0
Woman	4
Other	0
<b>Total</b>	<b>4</b>
<b>Total Complaints by Race/Ethnicity As of 06/30/2022</b>	
Black - African American	1
Asian	0
Hispanic/Latinx	1
Native American/Alaskan Native	0
Not identified	0
Pacific Islander/Native Hawaiian	0
Two or more races	0
White	2
<b>Total</b>	<b>4</b>
<b>Total Complaints by Employment Status As of 06/30/2022</b>	
Merit	3
Non-Merit Exempt	1
Casual/Seasonal	0
Temp/Contract	0
<b>Total</b>	<b>4</b>
<b>Total Complaints by Category As of 06/30/2022</b>	
Informal	0
Formal	4
External	0
<b>Total</b>	<b>4</b>

<b>Total Complaints by Type As of 06/30/2022</b>	
ADA	0
Discrimination	2
Gender	0
Generic Issue	0
Harassment	1
Hostile Work Environment	0
Merit Rule	0
Misconduct	0
Retaliation	0
Sexual Harassment	1
Workplace Violence	0
<b>Total</b>	<b>4</b>
<b>Total Complaints by Current Status As of 06/30/2022</b>	
Open	1
Closed	3
<b>Total</b>	<b>4</b>
<b>Total Complaints by Resolution As of 06/30/2022</b>	
To be Determined	1
Substantiated	2
Unsubstantiated	1
<b>Total</b>	<b>4</b>

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

Table 8 data were obtained from agency internal records during FY22.

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	1	13%	0	0%	-100%
Total Female Minority Disciplines	2	25%	0	0%	-100%
Total Male Non-Minority Disciplines	5	63%	0	0%	-100%
Total Male Minority Disciplines	0	0%	0	0%	0%
<b>Total Disciplines</b>	<b>8</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>-100%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	9	30%	6	17%	-33%
Total Female Minority Separations	11	37%	15	43%	27%
Total Male Non-Minority Separations	6	20%	8	23%	25%
Total Male Minority Separations	4	13%	6	17%	33%
<b>Total Separations</b>	<b>30</b>	<b>100%</b>	<b>35</b>	<b>100%</b>	<b>14%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	19	37%	19	30%	0%
Total Female Minority New Hires	24	46%	26	41%	8%
Total Male Non-Minority New Hires	7	13%	10	16%	30%
Total Male Minority New Hires	2	4%	9	14%	78%
<b>Total New Hires</b>	<b>52</b>	<b>100%</b>	<b>64</b>	<b>100%</b>	<b>19%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	8	31%	11	39%	27%
Total Female Minority Promotions	11	42%	5	18%	-55%
Total Male Non-Minority Promotions	4	15%	9	32%	56%
Total Male Minority Promotions	3	12%	3	11%	0%
<b>Total Promotions</b>	<b>26</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>7%</b>

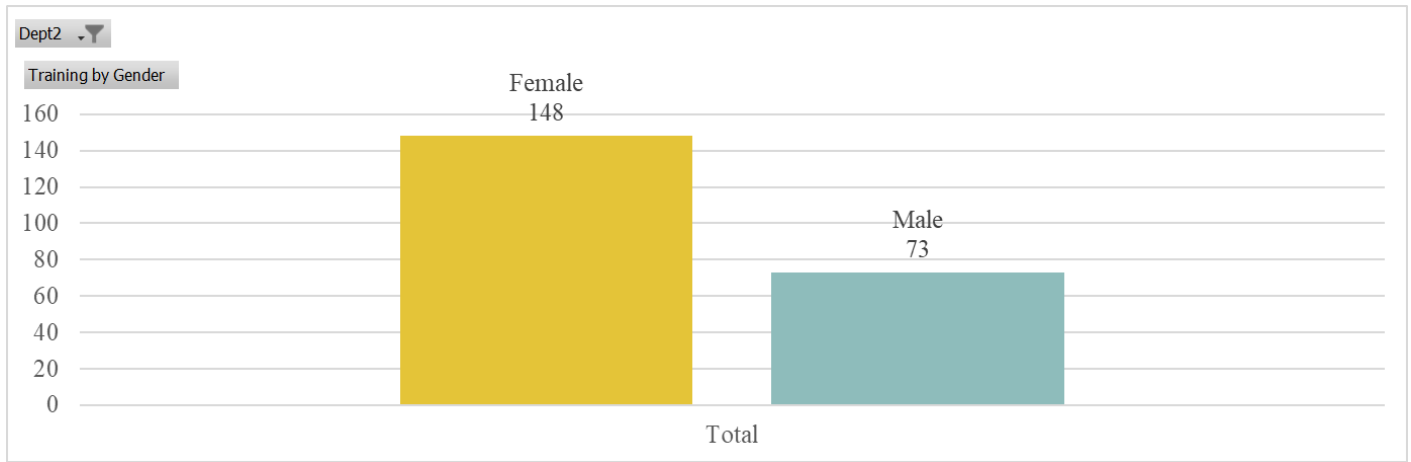
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

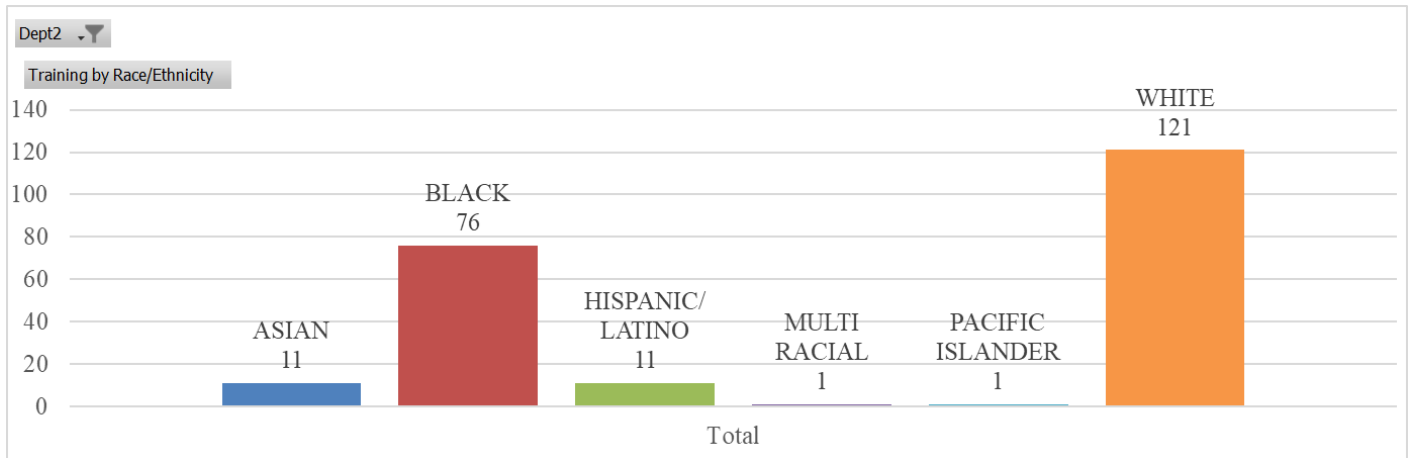
**STATE OF DELAWARE  
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**SECTION VII: EMPLOYEE ENGAGEMENT**

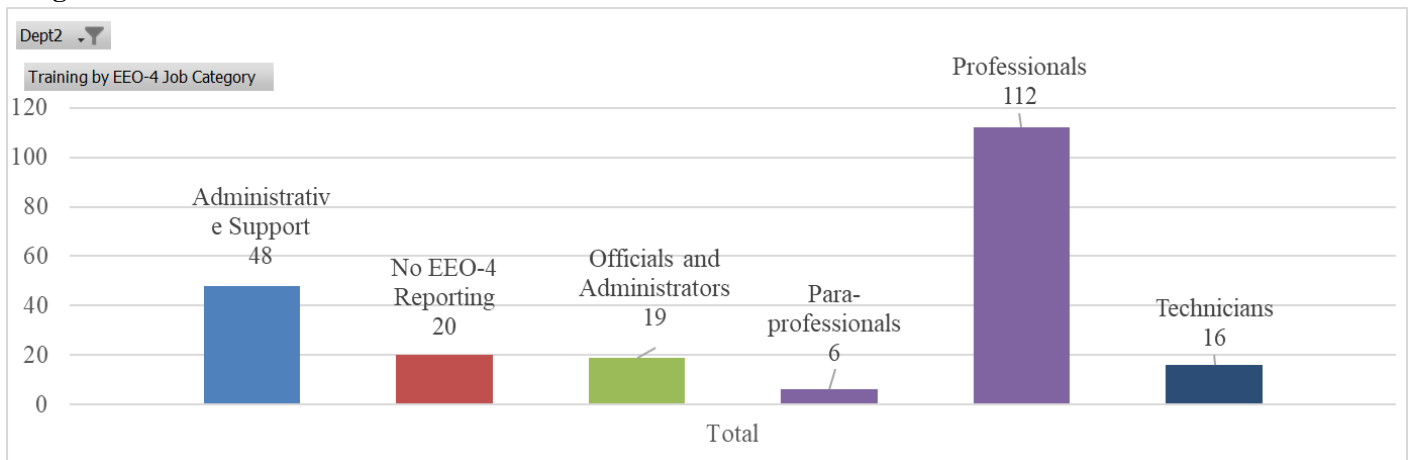
**Figure 10 Training by Gender**



**Figure 11 Training by Race/Ethnicity**



**Figure 12 Training by EEO-4 Job Category**



**Figures 10-12** display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

*Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.*

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**Table 13**

<b>TUITION REIMBURSEMENT SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female	0
Total Minority Female	3
Total Non-Minority Male	1
Total Minority Male	1
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>5</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed	8
Total Requests for Accommodations	11
Total Requests Accommodated	9
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

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**Table 15**

EXIT SURVEY SUMMARY						
	EXCELLEN	GOOD	AVERAGE	BELOW	POOR	TOTAL
Agency as a place to work	40%	40%	0%	20%	0%	100%
	2	2	0	1	0	5
Opportunity for advancement or promotion	20%	20%	40%	0%	20%	100%
	1	1	2	0	1	5
Recognition of accomplishments/contributions	20%	40%	20%	0%	20%	100%
	1	2	1	0	1	5
Relationships with co-workers	50%	50%	0%	0%	0%	100%
	2	2	0	0	0	4
Relationship with your manager/supervisor	60%	20%	20%	0%	0%	100%
	3	1	1	0	0	5
Agency commitment to quality and customer service	40%	40%	0%	20%	0%	100%
	2	2	0	1	0	5
Work area tools available to perform the functions of your job	60%	40%	0%	0%	0%	100%
	3	2	0	0	0	5
Performance goals were clear and you knew what was expected of you in your job	60%	20%	0%	0%	20%	100%
	3	1	0	0	1	5
Training and development needs were assessed and met	40%	40%	0%	0%	20%	100%
	2	2	0	0	1	5
Benefits package	80%	20%	0%	0%	0%	100%
	4	1	0	0	0	5
Compensation	20%	20%	20%	20%	20%	100%
	1	1	1	1	1	5
Family-Friendly Workplace	60%	20%	20%	0%	0%	100%
	3	1	1	0	0	5

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*



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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
0	0	MABZ48	Lottery Drawing Specialist	4	0%	0%	0%
0	1	MABM01	Lottery Field Representative	5	0%	20%	100%
0	0	MABZ71	Mgr. Financial Reporting/Internal Control	1	0%	0%	0%
2	0	MABG01	Tax Auditor I	16	13%	0%	-100%
1	0	MABG02	Tax Auditor II	8	13%	0%	-100%
1	1	MABG03	Tax Auditor III	16	6%	6%	0%

**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MABZ48	Lottery Drawing Specialist	1	12	12	5	5
MABM01	Lottery Field Representative	3	49	16	20	7
MABZ71	Mgr. Financial Reporting/Internal Control	N/A				
MABG01	Tax Auditor I	8	48	6	39	5
MABG02	Tax Auditor II	1	5	5	3	3
MABG03	Tax Auditor III	1	5	5	4	4

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 18**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
250101100	Dept of Finance/Office of the Secretary	13%	19%	6%
250501100	Dept of Finance /Accounting	16%	4%	-12%
250601100	Dept of Finance/Revenue	12%	13%	1%
250701100	Dept of Finance /State Lottery	4%	10%	6%
<b>Department Average</b>		<b>11%</b>	<b>12%</b>	<b>0%</b>

**Table 19**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MABZ48	Lottery Drawing Specialist	0%	22%	22%
MABM01	Lottery Field Representative	0%	67%	67%
MABZ71	Mgr. Financial Reporting/Internal Control	0%	0%	0%
MABG01	Tax Auditor I	0%	0%	0%
MABG02	Tax Auditor II	12%	24%	12%
MABG03	Tax Auditor III	13%	7%	-6%

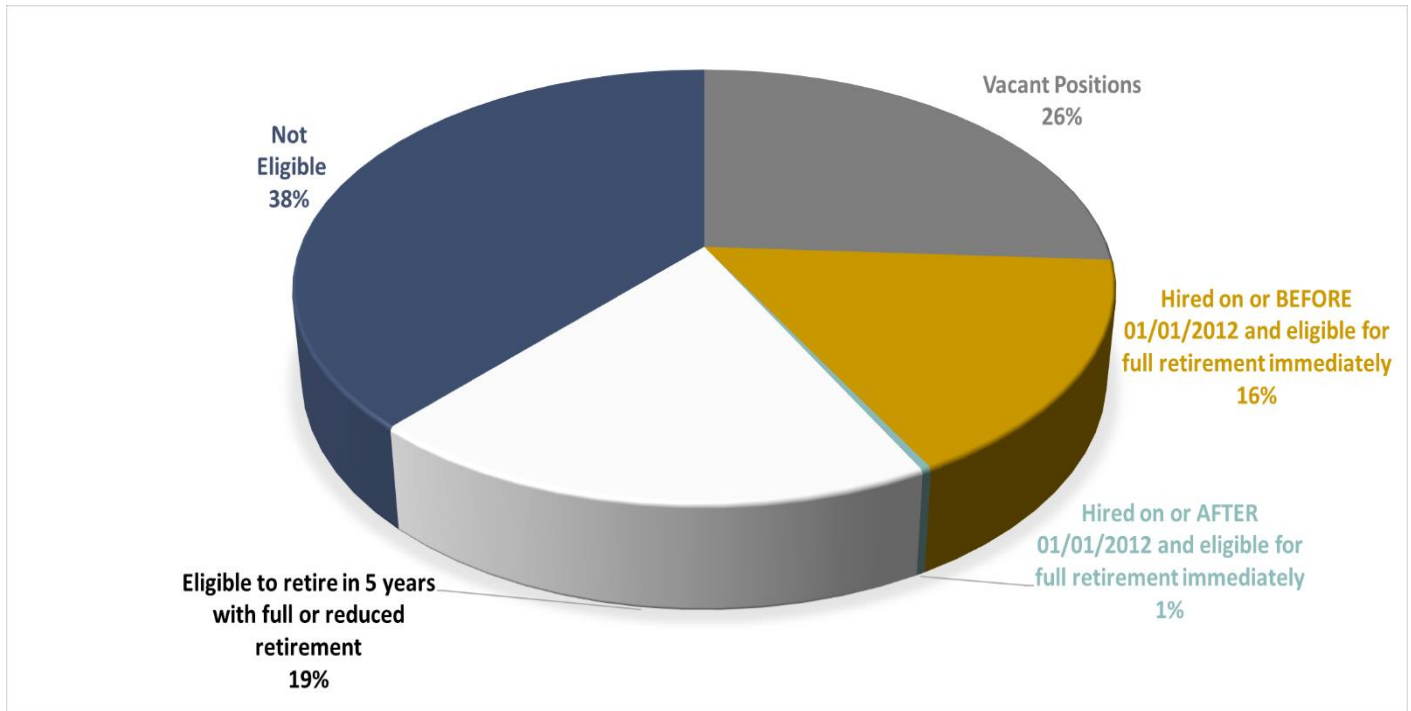
**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Accounting</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>52</b>	<b>51</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>15</b>	<b>32</b>
<b>Revenue</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>140</b>	<b>129</b>	<b>11</b>	<b>22</b>	<b>0</b>	<b>23</b>	<b>84</b>
<b>State Lottery Office</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>55</b>	<b>6</b>	<b>49</b>	<b>16</b>	<b>0</b>	<b>13</b>	<b>-23</b>
<b>Office of the Secretary</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>61</b>	<b>42</b>	<b>19</b>	<b>8</b>	<b>1</b>	<b>8</b>	<b>25</b>
<b>Department of Finance Totals</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>308</b>	<b>228</b>	<b>80</b>	<b>50</b>	<b>1</b>	<b>59</b>	<b>118</b>

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

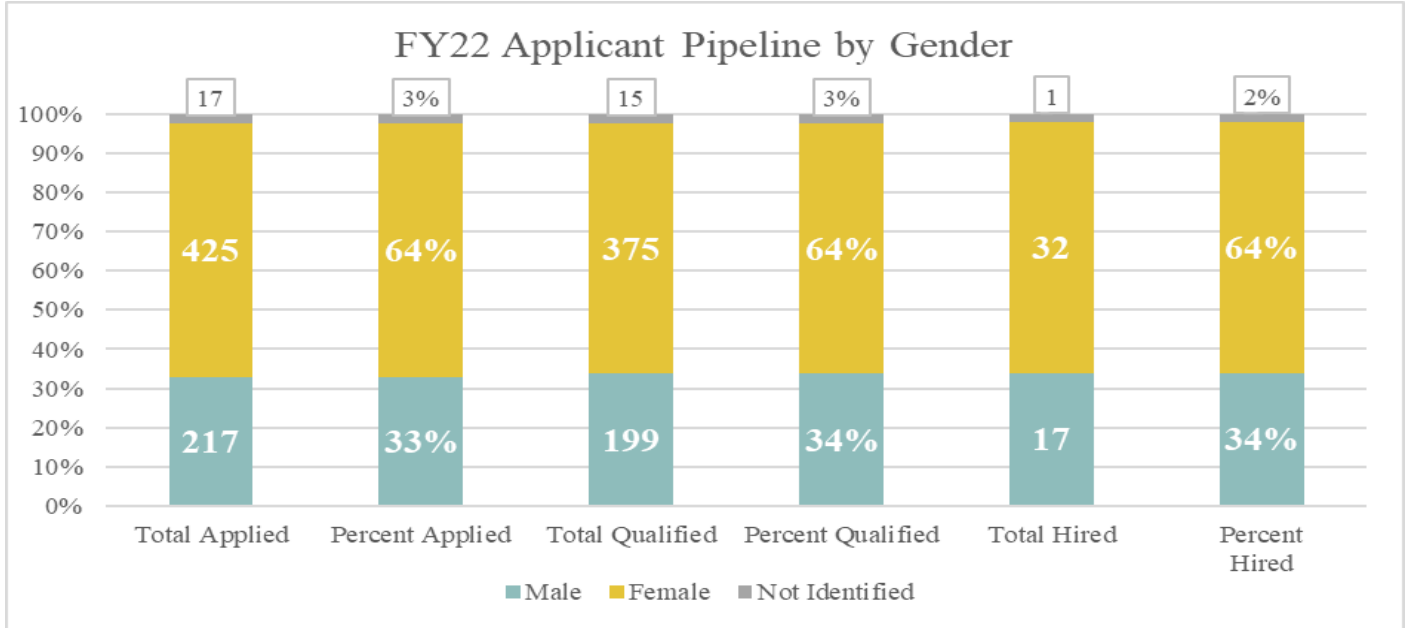
*Table 21 data were obtained from the PHRST system as of 06/30/2022.*

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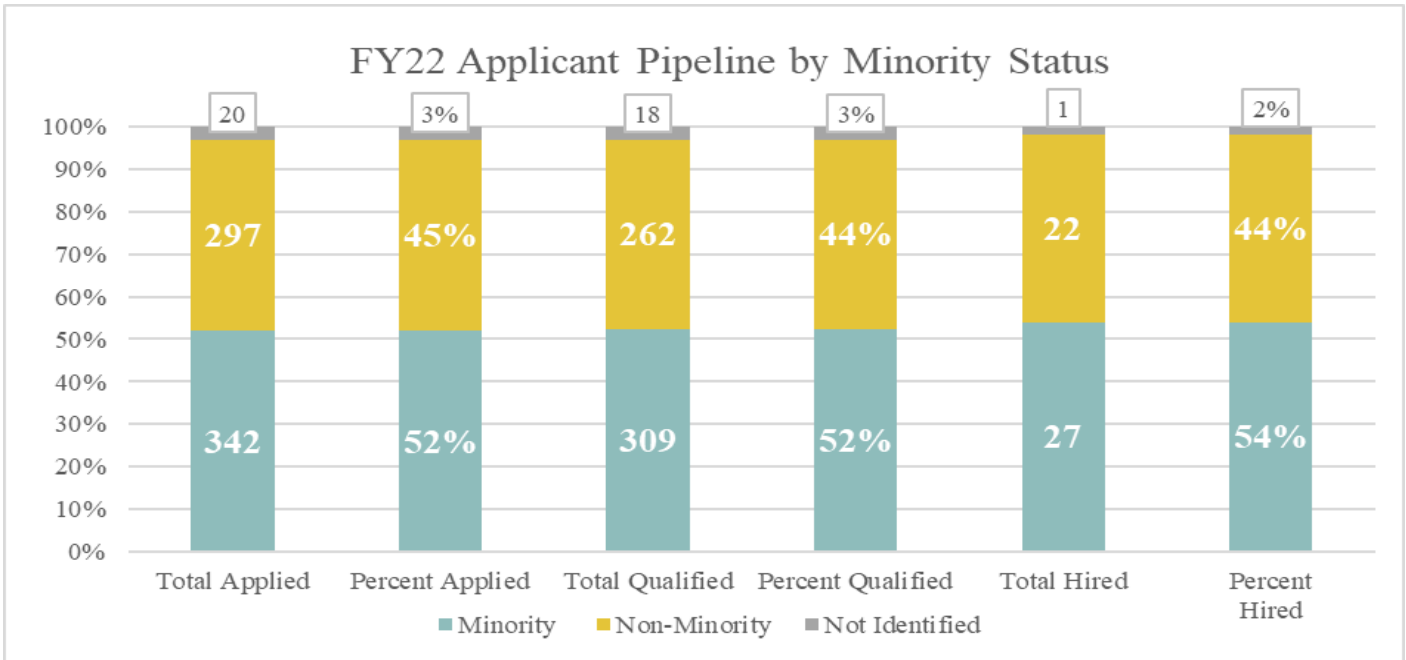
**Applicant Pipeline**

In FY22, 659 people applied online to DOF jobs, a 31% decrease from FY21 in which 960 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	73	57
FY22	70	38
Change FY21 vs FY22	-3	-19

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	3	6
FY22	13	4
Change FY21 vs FY22	10	-2

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time the referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY 1 (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	In-person events safely encourage team building and office morale.	Employee’s interest and willingness to participate in events held.	Each Division	Contractual Budget -	FY23 – continuous
SP-1 Goal 2	Revamping Public Service workspaces and taxpayer’s public area.	Contracting design and improve the availability of access for individuals requiring services thru ADA.	Division of Revenue	Budgetary Funding and contractual monies.  Issues related to inflationary pressures may become a problem.	FY23 – continuous
SP-1 Goal 3	Implement hiring bonuses.	Encourage qualified applicants to apply for jobs while existing staffing resources are overburdened due to vacancies and the inability to hire.	DOF HR/DOF Division Directors/Statewide DHR	Thin salary budgets	FY23 – continuous
SP-1 Goal 4	Implement Retention Bonus.	The number of bonuses approved and granted reduces turnovers in critical and understaffed areas.	DOF HR/DOF Division Directors/Statewide DHR	Thin salary budgets	FY23 – continuous
SP-1 Goal -5	Continue to offer \$3,500 annually for Educational Assistance.	Total number of DOF employees.	DOF HR/DOF Division Directors	Budgetary funding	FY23 - continuous
SP -1 Goal -6	Implement Wellness Workplace Initiative.	Medical utilization before and after the program was implemented.	Each Division will have a liaison/representative.	Utilize current SBO resources	FY23 - continuous

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**STRATEGIC PRIORITY 2 (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.\*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Initiate Pathways program with Howard High School.	Development of future employees to work in Finance – within city limits.	DOF HR/DOF Division Directors/Statewide DHR	Howard High Curriculum School /DOF Budget	FY23 – continuous
SP-2 Goal 2	DOR will offer another session of the Excellence in Transformation Leadership Program.	Number of Supervisory Staff participating.	DOR	DOF FY budget	January 2023
SP-2 Goal 3	Encourage cross-training, round tables, and brown bags for lunch.	Number of trainings offered Survey employees.	DOF HR/DOF Division Directors/	In-house DOF staff from each Division	FY23- continuous



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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their career with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Improve effectiveness and efficiency of Department staff; provide professional growth.	Design and implement Advance Excel training; post-course surveys, and professional improvement.	DOF SOF	Funding – Contractual Budget – Classes were University of Delaware (Virtual Classes)	Launched – August 29, 2022
SP-3 Goal 2	Support year Continuous Improvement Practitioner Program.	Number of new Practitioners statewide.	Statewide Initiative lead by GEAR Executive Director	Budgetary Funding	FY23
SP-3 Goal 3	Conference and Training	Number of staff able to attend conferences and career-related training in a post-COVID-19 environment.	Division Directors	Division staff and travel budget	FY23-continuous



Delaware Department of Labor (DOL)

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FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022

OFFICE OF THE SECRETARY  
Delaware Department of Labor  
4425 MARKET NORTH MARKET STREET • WILMINGTON, DELAWARE • 19802  
(302) 761-0003 • FAX (302) 761-6621

**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: ~~Karryl Hubbard~~  
Secretary, Delaware Department of Labor

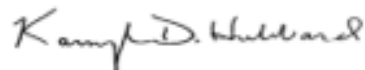
SUBJECT: Delaware Department of Labor  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY23 Action Plan

DATE: December 5, 2022

Attached is a copy of the Delaware Department of Labor FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.

If you have any questions, please feel free to contact me at 302-761-8008 or ~~Karryl Hubbard@delaware.gov~~

Thank you.  
Sincerely,




~~Karryl Hubbard~~  
Secretary of Labor

Enclosures

**STATE OF DELAWARE**  
**DEPARTMENT OF LABOR (DOL)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

**STATE OF DELAWARE**  
**DEPARTMENT OF LABOR (DOL)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need



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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> **The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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**9. Associated Policy/Regulations/Information**

- a. The procedures under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a target of discrimination or harassment under State or federal law.
- b. Making a complaint according to this policy will not extend the time frames, prescribed by statute, by which any person must file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a CBA, if applicable, or any court or regulatory body.
- c. The deadline for filing a charge with the DDOL or the EEOC under State and federal laws is three hundred (300) days from the date of the alleged discriminatory action.
- d. [Standards of Conduct Policy and Procedures](#)

**10. Appendices and Forms**

- [Respectful Workplace and Anti-Discrimination Complaint Form](#)
- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Labor Relations and Employment Practices
- **Policy Administrator:** Director of the Division of Labor Relations and Employment Practices
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

Karryl Hubbard  
Cabinet Official/Agency Head Signature

09/02/2022  
Date

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

The Department of Labor connects people to jobs, resources, monetary benefits, workplace protections and labor market information to promote financial independence, workplace justice, and a strong economy. The DOL pledges its continued support of the state of Delaware’s program on equal employment opportunity affecting employment practices, to include recruitment and selection, promotions, terminations, transfers, compensation and training, and other terms and conditions as set forth in the Governor’s Executive Order 30

We are aware of the lag time related to posting, issuing cert lists, interviewing, and filling. Former HR Recruitment Manager, Janette Castro, worked on reinforcing the time frames when issuing cert lists to hiring managers and following up to ensure that time-to-fill and time-to-hire metrics are met. We do show an improvement this year but know there are always additional improvements to be made. In subsequent meetings with Talent Acquisition, we have realized some of this lag time may be due to the recruitments not being updated timely in *JobAps*. Our new Recruitment Specialist is working on this situation to improve the updating of hires so we can get a true reflection in our reports and continue to improve in this area.

Additional challenges in FY22 were the continued turnover the agency is facing, and a lack of applicants for postings. We have participated in Job Fairs, worked with Employment & Training, and utilized social media to increase our visibility in order to attract candidates.

<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Administration/Office of the Secretary/OOLMI	36
Unemployment Insurance	70
Industrial Affairs	74
Vocational Rehabilitation/Disability Determination Services	98
Division of Employment and Training	75
<b>TOTALS</b>	<b>353</b>



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## **Responsibilities for Implementation**

### **RESPONSIBILITIES STATEMENT**

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The Secretary of the Department of Labor oversees the implementation of the Department's Affirmative Action Plan to ensure that it is implemented promptly and effectively. The HR Administrator, Tristan Press 302-761-8014, [tristan.press@delaware.gov](mailto:tristan.press@delaware.gov), and HR Supervisor, Nicholas Oliver, implement the Affirmative Action Plan and ensures that managers comply with federal and state laws, regulations, and executive orders. The Affirmative Action Officer's duties and responsibilities include:

#### **Responsibilities of the EEO/AA Officer:**

1. To facilitate the implementation of the EEO/Affirmative Action Plan within the policies established by the Secretary and Division Directors.
2. To organize and implement monitoring activities associated with the Affirmative Action Plan.
3. To oversee the expeditious adjudication of discrimination complaints as required by the Department's Complaint Procedures.
4. To conduct statistical and personnel analyses.
5. To conduct monitoring activities of internal compliance programs.
6. To review changes in Federal and State Equal Employment Opportunity programs and make recommendations to the Secretary for necessary changes in Department operations.
7. To provide Equal Employment Opportunity sensitivity sessions for Department staff.
8. To report the progress of the Equal Employment Opportunity program to the Secretary annually. The report will focus on progress made and on recommending further action needed to achieve the Department's Affirmative Action Objectives. Emphasis is placed on action(s) that can reasonably be taken to remedy the under-utilization of minorities and females in the EEO Categories.
9. To coordinate Equal Employment Opportunity activities with the Department's HR Section.
10. To keep current with Equal Employment Opportunity laws, policies, and regulations. To be aware and sensitive to the Equal Employment Opportunity needs and be prepared to act accordingly.
11. To assist managers and supervisors in carrying out Department Equal Employment Opportunity.

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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Respond to low staff morale, high turnover	Continued monthly Town Hall meetings with Secretary Hubbard to engage with staff and get feedback.	Secretary Hubbard, Leadership and Communications team	Held on a monthly basis with a typical attendance of 200-250 employees	Ongoing
SP-1 Goal 2	Engage Division Leaders in being open to employee feedback and concerns.	Encouraged Directors to hold similar meetings with their divisions for updates and feedback.	Division Directors	Division Directors are holding their own Town Hall Meetings and reporting up	Ongoing
SP-1 Goal 3	Gain feedback directly from employees on the workplace environment and climate	Issued a DOL climate survey in June 2022	Communications Team	Secretary Hubbard will be meeting with Division Directors with the results	See Section IV as this is ongoing.

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Managers Supervisors not issuing timely performance plans, annual reviews, PIPs if needed.	We did see an increase in this area; however, we would like to see 100% participation.	HR and Leadership in the Divisions	HR sent out reminders to Divisions with deadlines to receive reviews. HR held training on performance plans/reviews to assist managers with the process.	HR is continuing to follow up on this and is hopeful for good figures for the 2022 reviews due January of 2023. Include and enforce language in management/supervisory performance plans that requires all staff to have performance plans and reviews in place to obtain a meets expectations rating.
SP-2 Goal 2	Assist managers in dealing with difficult areas related to HR.	We had great participation in the training and have uploaded them to the Extranet for others to watch on demand.	HR Team	We created a training series on HR topics geared toward supervisors. Topics included Dress Code, Dual Incumbency, Retirements, Resignations, Processive Discipline, Performance plan/reviews.	This series is ongoing as we have several more scheduled this calendar year.
SP-2 Goal 3	The second cohort of managers complete the Leadership Training from the University of Delaware.	This cohort saw 20 graduates.	Participants and Leadership	Evaluating ongoing leadership training opportunities and determine whether we continue training in this format.	Reviewing the effectiveness of the program to see if we will continue with the next group or focus training in another area.

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Make DOL employment more attractive to recruit candidates in hard-to-fill positions	Reduced turnover, Reduced time to fill vacancies.	HR and hiring managers	Worked with hiring managers to decrease lag time between cert lists and time to hire. Reclassified LLEO's to include a level III. Encouraged reclass and advanced salary requests when possible. Shared hard-to-fill job postings on job boards. Added telecommuting options to the postings.	Ongoing. Continue to look at reclassifications, workplace flexibilities, staff morale, recruitment improvements, etc.

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**SECTION IV: WORKFORCE ANALYSIS**

**DOL Workforce Analysis Overview:**

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The Department of Labor (DOL) is underrepresented for minorities in three EEO-4 categories. DOL has 353 employees and minorities represent 50% of the DOL workforce. Based on the 2022 DOL Score Card issued by DHR, DOL also has an older worker population compared to other state agencies. DOL is well represented overall but still has the opportunity to increase our male workforce in particular areas and increase the level of engagement with those beginning their careers. In FY21, 37% of applicants were under the age of 30.

Below are observable trends that affect DOL's opportunity to increase diversity in their workforce:

- Pay is the biggest barrier to attracting both male and young workers. Looking at the exits survey results, Compensation was the category that scores the lowest.
- DOL currently does not have regular intern programs, but this is something we are addressing (see section IV).
- Not all but many of the DOL positions are in human services, which is typically a women-dominated career/industry choice.
- Location of our "headquarters" is in Wilmington and north Wilmington which many do not want to commute to and pay city wage tax on a low-wage job without the amenities of the city. DOL is very active in hosting and engaging in job fairs and recruiting events both for their own workforce and in accordance with their mission to connect people to jobs, resources, etc.
- DOL is actively pursuing paid co-op opportunities and college students. We plan to launch our first cohort this fall.
- The department utilizes older technology, training can be difficult and opportunities to telework can be limited.
- DOL was the first agency to pilot DHR's new program designed to provide opportunities for disabled individuals to obtain work experience that would assist them in meeting minimum qualifications. Our first candidate was a success. We plan to continue to leverage this program for our staffing needs.

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**DOL Demographics at a Glance:**

---

The total number of DOL employees as of June 30, 2022, by EEO-4 category is 353.

The DOL EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DOL workforce based on the total number of employees within the eight EEO-4. Analyses are made comparing DOL workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender.

The following summary of findings were derived from this data:

**Minority Representation:**

- Minorities represent 50% of the total DOL workforce, a 1% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Technicians (-23%)
  - Skilled Craft (-26%)

**Female Representation:**

- Females represent 72% of the total DOL workforce, a 1% increase from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Technicians (-7%)
  - Skilled Craft (-6%)

**Male Representation:**

- Males represent 28% of the DOL workforce, a 1% decrease from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-14%)
  - Professionals (-13%)
  - Protective Services (-6%)
  - Paraprofessional (-16%)
  - Office & Clerical (-21%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	8	7	2	0	0	0	1	18	41%	1	12	12	1	1	0	0	0	26	59%	3	44	24	55%
2 Professionals	42	16	2	1	0	0	0	61	29%	5	74	53	13	9	0	1	3	153	71%	6	214	98	46%
3 Technicians	3	1	0	0	0	0	0	4	57%	2	3	0	0	0	0	0	0	3	43%	0	7	1	14%
4 Protective Services	3	3	0	0	0	0	0	6	75%	0	0	2	0	0	0	0	0	2	25%	0	8	5	63%
5 Para Professional	0	0	0	0	0	0	1	1	8%	1	4	7	0	0	0	0	1	12	92%	2	13	9	69%
6 Office & Clerical	6	3	0	0	0	0	0	9	14%	0	20	30	3	3	0	0	1	57	86%	4	66	40	61%
7 Skilled Craft	1	0	0	0	0	0	0	1	100%	0	0	0	0	0	0	0	0	0	0.00%	0	1	0	0%
8 Service Maintenance	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
<b>Totals</b>	<b>63</b>	<b>30</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>100</b>	<b>28%</b>	<b>9</b>	<b>113</b>	<b>104</b>	<b>17</b>	<b>13</b>	<b>0</b>	<b>1</b>	<b>5</b>	<b>253</b>	<b>72%</b>	<b>15</b>	<b>353</b>	<b>177</b>	<b>50%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022  
(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	55%	30%	43%	7%	2%	0%	0%	2%
2 Professionals	29%	46%	17%	32%	7%	5%	0%	0%	1%
3 Technicians	38%	14%	-23%	14%	0%	0%	0%	0%	0%
4 Protective Services	37%	63%	26%	63%	0%	0%	0%	0%	0%
5 Para Professional	34%	69%	36%	54%	0%	0%	0%	0%	15%
6 Office & Clerical	31%	61%	30%	50%	5%	5%	0%	0%	2%
7 Skilled Craft	26%	0%	-26%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	0%	NA	0%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022  
(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	59%	14%	27%	27%	2%	2%	0%	0%	0%
2 Professionals	59%	71%	13%	35%	25%	6%	4%	0%	0%	1%
3 Technicians	50%	43%	-7%	43%	0%	0%	0%	0%	0%	0%
4 Protective Services	19%	25%	6%	0%	25%	0%	0%	0%	0%	0%
5 Para Professional	77%	92%	16%	31%	54%	0%	0%	0%	0%	8%
6 Office & Clerical	65%	86%	21%	30%	45%	5%	5%	0%	0%	2%
7 Skilled Craft	6%	0%	-6%	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	0%	NA	0%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022  
(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	41%	-14%	18%	16%	5%	0%	0%	0%	2%
2 Professionals	41%	29%	-13%	20%	7%	1%	0%	0%	0%	0%
3 Technicians	50%	57%	7%	43%	14%	0%	0%	0%	0%	0%
4 Protective Services	81%	75%	-6%	38%	38%	0%	0%	0%	0%	0%
5 Para Professional	23%	8%	-16%	0%	0%	0%	0%	0%	0%	8%
6 Office & Clerical	35%	14%	-21%	9%	5%	0%	0%	0%	0%	0%
7 Skilled Craft	94%	100%	6%	100%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	0%	NA	0%	0%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and [AGENCY] demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.



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**Minority Representation Trends FY20, 21, 22**

**Table 5**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	76%	29%	30%
2 Professionals	65%	17%	17%
3 Technicians	2%	-4%	-23%
4 Protective Services	37%	26%	26%
5 Paraprofessional	39%	31%	36%
6 Office & Clerical	58%	24%	30%
7 Skilled Craft	NA	-26%	-26%
8 Service Maintenance	NA	-45%	0%

**Female Representation Trends FY20, 21, 22**

**Table 6**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	22%	21%	14%
2 Professionals	14%	11%	13%
3 Technicians	-21%	-17%	-7%
4 Protective Services	23%	18%	6%
5 Paraprofessional	9%	16%	16%
6 Office & Clerical	24%	20%	21%
7 Skilled Craft	-4%	-6%	-6%
8 Service Maintenance	-45%	-44%	0%

**Male Representation Trends FY20, 21, 22**

**Table 7**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	-22%	-21%	-14%
2 Professionals	-14%	-11%	-13%
3 Technicians	21%	17%	7%
4 Protective Services	-23%	-18%	-6%
5 Paraprofessional	-9%	-16%	-16%
6 Office & Clerical	-24%	-20%	-21%
7 Skilled Craft	4%	6%	6%
8 Service Maintenance	45%	44%	0%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

Table 8

<b>Total Complaints by Gender As of 06/30/2022</b>	
Male	1
Woman	7
Other	0
<b>Total</b>	<b>8</b>
<b>Total Complaints by Race/Ethnicity As of 06/30/2022</b>	
Black - African American	0
Asian	0
Hispanic/Latinx	0
Native American/Alaskan Native	0
Not identified	0
Pacific Islander/Native Hawaiian	0
Two or more races	0
White	8
<b>Total</b>	<b>8</b>
<b>Total Complaints by Employment Status As of 06/30/2022</b>	
Merit	7
Non-Merit Exempt	0
Casual/Seasonal	0
Temp/Contract	1
<b>Total</b>	<b>8</b>
<b>Total Complaints by Category As of 06/30/2022</b>	
Informal	3
Formal	3
External	2
<b>Total</b>	<b>8</b>

<b>Total Complaints by Type As of 06/30/2022</b>	
ADA	2
Discrimination	4
Gender	0
Generic Issue	0
Harassment	0
Hostile Work Environment	1
Merit Rule	0
Misconduct	0
Retaliation	0
Sexual Harassment	1
Workplace Violence	0
<b>Total</b>	<b>8</b>
<b>Total Complaints by Current Status As of 06/30/2022</b>	
Open	2
Closed	5
<b>Total</b>	<b>7</b>
<b>Total Complaints by Resolution As of 06/30/2022</b>	
To be Determined	5
Substantiated	0
Unsubstantiated	3
<b>Total</b>	<b>8</b>

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

Table 8 data were obtained from agency internal records during FY22.

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	8	89%	13	57%	63%
Total Female Minority Disciplines	0	0%	4	17%	100%
Total Male Non-Minority Disciplines	0	0%	5	22%	0%
Total Male Minority Disciplines	1	11%	1	4%	0%
<b>Total Disciplines</b>	<b>9</b>	<b>100%</b>	<b>23</b>	<b>100%</b>	<b>61%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	12	34%	17	28%	29%
Total Female Minority Separations	13	37%	24	39%	46%
Total Male Non-Minority Separations	5	14%	10	16%	50%
Total Male Minority Separations	5	14%	10	16%	50%
<b>Total Separations</b>	<b>35</b>	<b>100%</b>	<b>61</b>	<b>100%</b>	<b>43%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	9	15%	28	28%	68%
Total Female Minority New Hires	27	44%	43	43%	37%
Total Male Non-Minority New Hires	20	33%	14	14%	-30%
Total Male Minority New Hires	5	8%	15	15%	67%
<b>Total New Hires</b>	<b>61</b>	<b>100%</b>	<b>100</b>	<b>100%</b>	<b>39%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	13	28%	7	21%	-86%
Total Female Minority Promotions	18	38%	13	38%	-28%
Total Male Non-Minority Promotions	10	21%	9	26%	-11%
Total Male Minority Promotions	6	13%	5	15%	-17%
<b>Total Promotions</b>	<b>47</b>	<b>100%</b>	<b>34</b>	<b>100%</b>	<b>-28%</b>

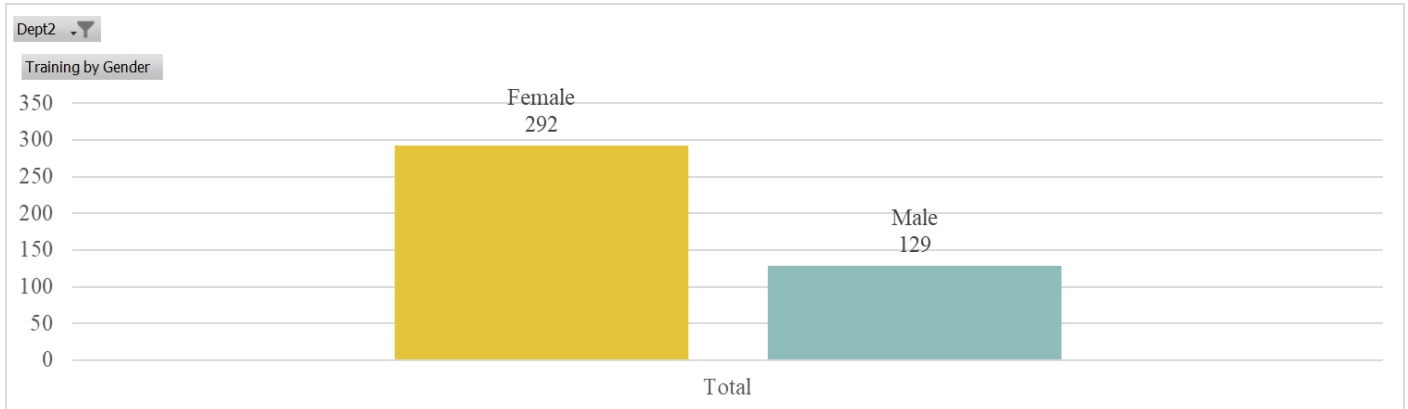
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

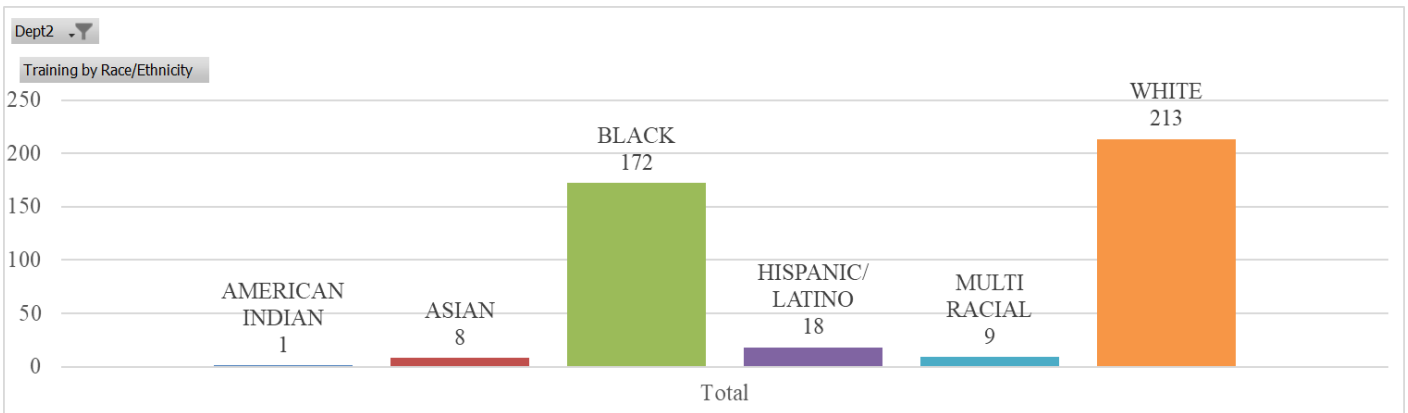
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**SECTION VII: EMPLOYEE ENGAGEMENT**

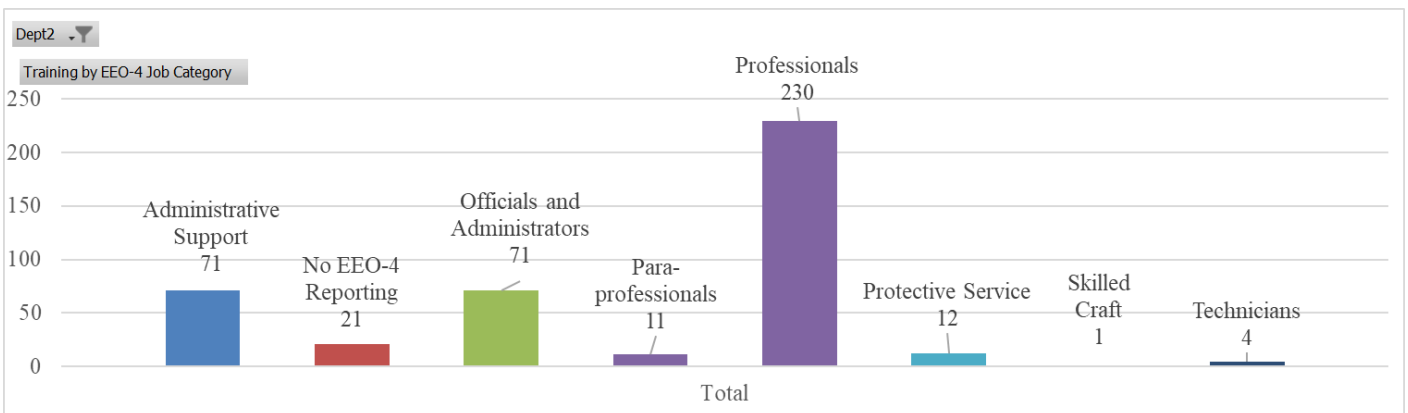
**Figure 10 Training by Gender**



**Figure 11 Training by Race/Ethnicity**



**Figure 12 Training by EEO-4 Job Category**



Figures 10-12 display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.

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**Table 13**

<b>TUITION REIMBURSEMENT SUMMARY</b>
<b>DOL did not have a Tuition Reimbursment Program in FY22</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed Disabled	24
Total Requests for Accomodations	6
Total Requests Accomodated	6
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program.

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

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**Table 15**

<b>EXIT SURVEY SUMMARY</b>						
	<b>EXCELLEN</b>	<b>GOOD</b>	<b>AVERAGE</b>	<b>BELOW</b>	<b>POOR</b>	<b>TOTAL</b>
<b>Agency as a place to work</b>	21%	43%	21%	7%	7%	100%
	3	6	3	1	1	14
<b>Opportunity for advancement or promotion</b>	7%	21%	36%	7%	29%	100%
	1	3	5	1	4	14
<b>Recognition of accomplishments/contributions</b>	14%	29%	21%	14%	21%	100%
	2	4	3	2	3	14
<b>Relationships with co-workers</b>	64%	29%	7%	0%	0%	100%
	9	4	1	0	0	14
<b>Relationship with your manager/supervisor</b>	64%	14%	7%	7%	7%	100%
	9	2	1	1	1	14
<b>Agency commitment to quality and customer service</b>	43%	21%	14%	14%	7%	100%
	6	3	2	2	1	14
<b>Work area tools available to perform the functions of your job</b>	36%	29%	29%	0%	7%	100%
	5	4	4	0	1	14
<b>Performance goals were clear and you knew what was expected of you in your job</b>	36%	43%	0%	21%	0%	100%
	5	6	0	3	0	14
<b>Training and development needs were assessed and met</b>	36%	29%	21%	14%	0%	100%
	5	4	3	2	0	14
<b>Benefits package</b>	36%	29%	21%	14%	0%	100%
	5	4	3	2	0	14
<b>Compensation</b>	7%	14%	14%	29%	36%	100%
	1	2	2	4	5	14
<b>Family-Friendly Workplace</b>	36%	14%	36%	0%	14%	100%
	5	2	5	0	2	14

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
0	11	Mddb01	Employment Services Specialist I	18	0%	61%	100%
4	0	Mdaz06	Industrial Hygienist (DOL - NCC only)	2	200%	0%	-100%
1	2	Mddf01	Labor Law Enforcement Officer I	3	33%	67%	50%
0	0	Mddf02	Labor Law Enforcement Officer II	28	0%	0%	0%
15	16	Mdds01	Disability Determination Adjudicator I	22	68%	73%	6%
0	0	Mddu01	Vocational Rehabilitation Counselor I	5	0%	0%	0%
13	15	Mddz66	UI Claims Processor	23	57%	65%	13%
0	0	Mddz67	UI Claims Interviewer	3	0%	0%	0%
0	0	Mfda01	Labor Market Analyst	2	0%	0%	0%

**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
Mddb01	Employment Services Specialist I	8	106	13	57	7
Mdaz06	Industrial Hygienist (DOL - NCC only)	N/A				
Mddf01	Labor Law Enforcement Officer I	2	15	8	12	6
Mddf02	Labor Law Enforcement Officer II	1	12	12	7	7
Mdds01	Disability Determination Adjudicator I	1	87	87	23	23
Mddu01	Vocational Rehabilitation Counselor I	3	21	7	13	4
Mddz66	UI Claims Processor	3	76	25	59	20
Mddz67	UI Claims Interviewer	1	25	25	15	15
Mfda01	Labor Market Analyst	N/A				

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 18**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
600110100	DOL/Admin/Off of the Secret	0%	0%	0%
600120200	DOL/Admin/Occ & Labr Markt	0%	13%	13%
600140400	DOL/Admin/Administrtrve Supp	4%	30%	26%
600601100	DOL/Unemployment Insurance	14%	24%	10%
600701100	DOL/Indus Aff/WrkrComp Saf	10%	3%	-7%
600702100	DOL/Indus Aff/Labor Law Enf	0%	10%	10%
600703100	DOL/InduAff/OSHA/Labor Stat	14%	0%	-14%
600704100	DOL/InduAff/AntiDiscriminat	24%	10%	-14%
600810100	DOL/VR/Voc Rehab Svs	3%	11%	8%
600820100	DOL/VR/DisabiltyDeterminntn	34%	9%	-25%
600920100	DOL/ET/Employmnt & Traing S	50%	0%	-50%
600920400	DOL/ET/Employmnt & Traing S	7%	26%	19%
<b>Department Average</b>		<b>13%</b>	<b>11%</b>	<b>-2%</b>

**Table 19**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MDAZ06	Industrial Hygienist	0%	0%	0%
MDDDB01	Employment Services Specialist I	25%	0%	-25%
MDDDF01	Labor Law Enforcement Officer I	0%	0%	0%
MDDDF02	Labor Law Enforcement Officer II	9%	4%	-5%
MDDDS01	Disability Determination Adjudicator I	100%	33%	-67%
MDDDU01	Vocational Rehabilitation Counselor I	0%	0%	0%
MDDZ66	UI Claims Processor	10%	33%	23%
MDDZ67	UI Claims Interviewer	33%	0%	-33%
MFDA01	Labor Market Analyst	0%	0%	0%

**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

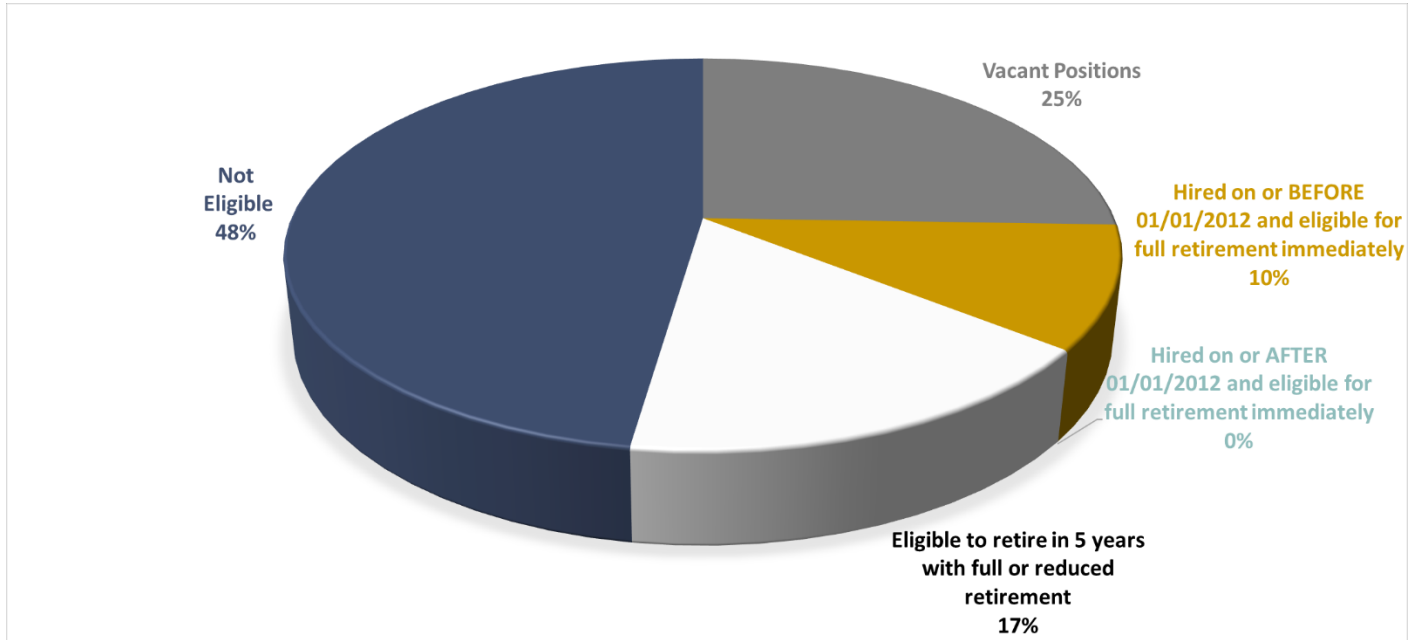
*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*



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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

*Figure 20 data were obtained from the PHRST system as of 06/30/2022.*

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Administration</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>46</b>	<b>36</b>	<b>10</b>	<b>3</b>	<b>0</b>	<b>14</b>	<b>19</b>
<b>Employment Training Services</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>94</b>	<b>75</b>	<b>19</b>	<b>13</b>	<b>0</b>	<b>17</b>	<b>45</b>
<b>Industrial Affairs</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>79</b>	<b>74</b>	<b>5</b>	<b>16</b>	<b>0</b>	<b>22</b>	<b>36</b>
<b>Vocational Rehabilitation Services</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>128</b>	<b>98</b>	<b>30</b>	<b>16</b>	<b>0</b>	<b>26</b>	<b>56</b>
<b>Unemployment Insurance</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>127</b>	<b>70</b>	<b>57</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>70</b>

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

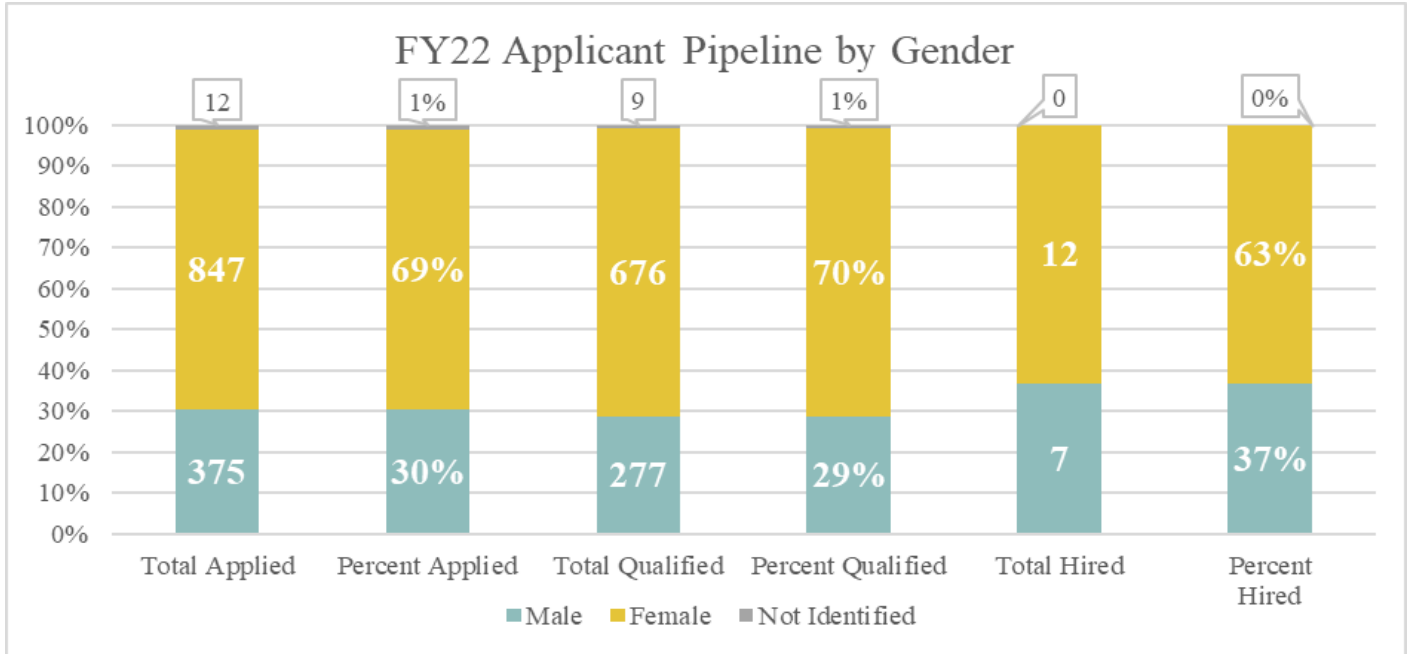
*Table 21 data were obtained from the PHRST system as of 06/30/2022.*

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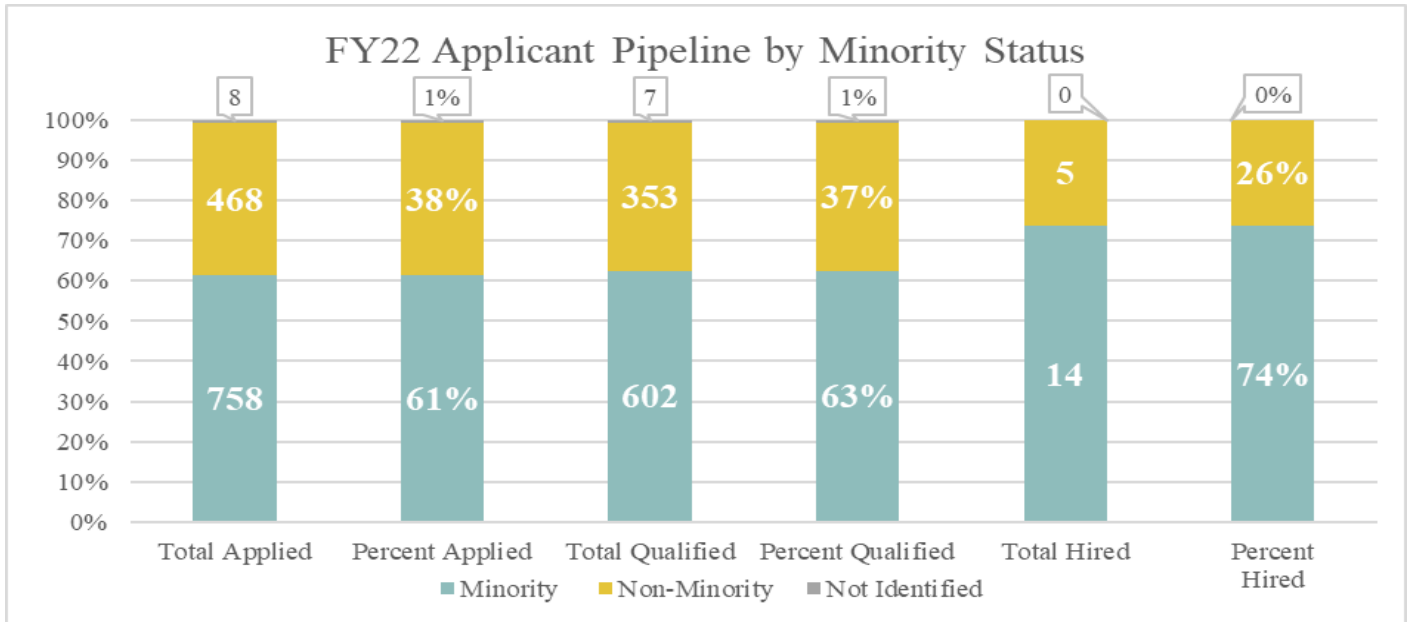
**Applicant Pipeline**

In FY22, 659 people applied online to DOL jobs, a 31% decrease from FY21 in which 960 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	87	57
FY22	64	48
Change FY21 vs FY22	-23	-9

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	2	14
FY22	13	4
Change FY21 vs FY22	11	-10

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time the referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 22 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Identify areas of improvement and action steps from DOL Climate Survey Results.	The DOL Climate survey completed in June 2022 is a baseline and we can implement the same survey at an agreed-upon time in the future.	Leadership to include Secretary, Deputy Secretary, and Division Directors to identify action items and implement them. Meetings are scheduled in the next few months to review comments and plan.	This requires time from leadership as well as communications to support action items.	Climate survey completed in June 2022. Meetings with Division Directors to begin a discussion on action plans are scheduled for October 2022. The action items are unknown at this time.
SP-1 Goal 2	Increase positive workplace environment with new Employee Recognition Committee Leadership.	Funds raised in fundraising activities, and nominations for awards.	Employee Recognition Committee	Supported by Secretary, Deputy Secretary, and Division Directors. It would be helpful if there were funds to support this activity.	ERC has been active but new chairs were appointed and the group has revised the ERC plan. Submitting to DHR in Oct 2022 which proposed new awards.
SP-1 Goal 3	Continue Town Halls (see SP3-Goal 2)	N/A	N/A	N/A	N/A

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition. \*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Share and reward good supervisor/manager actions/leadership with a new award being established (part of SP1-Goal 2)	Number of nominations for Outstanding Sup/Manager Award	Employee Recognition Committee	Internal	January 2023-need new plan approved by DHR.
SP-2 Goal 2	Continue targeted training for supervisors and managers	DOL provided two cohorts of leadership training-looking into another cohort and DHR training options to plan for the next round.	DOL Trainer and Deputy Secretary	Funds to pay for training. Have used DOL Admin and Sec. Office fund previously.	Just had a cohort graduate from UD. Will have a direction for training in the 1st quarter of 2023.

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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Implement a new DOL Training policy (to include tuition reimbursement) for DOL.	Increase skills, education, and training for personnel.	Deputy Secretary	Funding to support outsourced training (including tuition reimbursement).	Oct 2022
SP-3 Goal 2	Continue Monthly Town Halls	Good attendance and feedback  This is where lots of information is shared with the entire department. We always showcase work occurring in the Division to have ongoing education about the department. This helps establish/maintain a DOL Community, breakdown silos, and keeps people informed.  We also have guest speakers often for information and motivation.	Communications	N/A	Ongoing
SP-3 Goal 3	Increase internships to create a pipeline of workers and expose them to DOL as an employer	Working to create a process aligned with the DHR structure for this that helps attract workers and raise awareness about DOL being a potential employer. This will also help develop supervisory skills for incumbents.	HR	Staff to support this effort.	Jan 2023



## Delaware Department of State (DOS)

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### FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022





STATE OF DELAWARE  
DEPARTMENT OF STATE

JEFFREY W. BULLOCK  
SECRETARY OF STATE

## MEMORANDUM

**TO:** Claire DeMatteis, Secretary, Department of Human Resources

**FROM:** Jeffrey Bullock, Secretary of State

**DATE:** December 8, 2022

**SUBJECT:** **Department of State's FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan**

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Attached is a copy of the Department of State's FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace.

If you have any questions, please feel free to contact me at (302) 577-8767 or [jeff.bullock@delaware.gov](mailto:jeff.bullock@delaware.gov).

Thank you,

Jeffrey W. Bullock  
Secretary of State


A handwritten signature in blue ink, appearing to read 'Jeffrey W. Bullock', written over the typed name.

TOWNSEND BUILDING  
401 FEDERAL STREET, SUITE 3  
DOVER, DE 19901  
(302) 739-4111  
FAX (302) 739-3811

CARVEL STATE OFFICE BUILDING  
820 N FRENCH STREET, TENTH FLOOR  
WILMINGTON, DE 19801  
(302) 577-8767  
FAX (302) 577-2694

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**DEPARTMENT OF STATE (DOS)**  
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RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

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**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> **The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine



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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Employee and Labor Relations
- **Policy Administrator:** Director of the Division of Employee and Labor Relations
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

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The Department of State is committed to ensuring that we have a diverse workforce. We have continued the best practices of having diverse interview panels for all pay grades and requiring panelists to take the Selection Interviewing course. We have reached parity for Women in all categories but have challenges in reaching parity for minorities in the Officials and Administrators, Professionals, Skilled Craft, which are chronically underrepresented, and to a lesser extent, Service Maintenance. DOS is continuing to work with DHR to increase minority representation in Officials and Administrators and Skilled Craft, including utilizing DEL reports to determine if our outreach efforts are reaching a diverse pool of applicants and if so, how far they are going in the hiring process.

In our ongoing effort to increase retention by providing a clear understanding of each position's role in the overall goal of the agency and job-specific duties and responsibilities, DOS has been making great progress toward increasing the number of performance plans and reviews completed each year. In FY21, 66% of performance reviews were completed by managers versus 38% completed in FY20. DOS has the goal of having 100% completion of performance plans and reviews. DOS Human Resources worked with division management and leadership to provide training to continue improving results in FY22 and going forward.

The Delaware Veterans Home (DVH) is staffed by the largest number of employees in DOS. The division has been challenged in FY21 with the impact of COVID-19 and the staff has worked diligently to meet those challenges. We hired a new Administrator who places emphasis on teamwork and management accountability within the workplace climate to ensure consistent service delivery to our residents. DVH will continue to focus on accountability and consistent service delivery into FY23. The Division of Corporations is the second largest number of employees within the Division. This Division has been very challenged to find and retain staff also. Both Divisions have implemented retention bonuses during FY22.

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<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Secretary of State's Office	17
Commission for Veterans Affairs	18
DE Government Information Center	4
Public Integrity Commission	2
Employment Relations Board	3
Human Relations	7
Delaware Public Archives	31
Professional Regulation	38
Public Service Commission	23
Public Advocate	6
Corporations	90
Historical and Cultural Affairs	42
Arts	8
Libraries	14
Delaware Veterans Home	114
Small Business & Tourism	25
Office of the State Bank Commissioner	28
<b>TOTALS</b>	<b>470</b>

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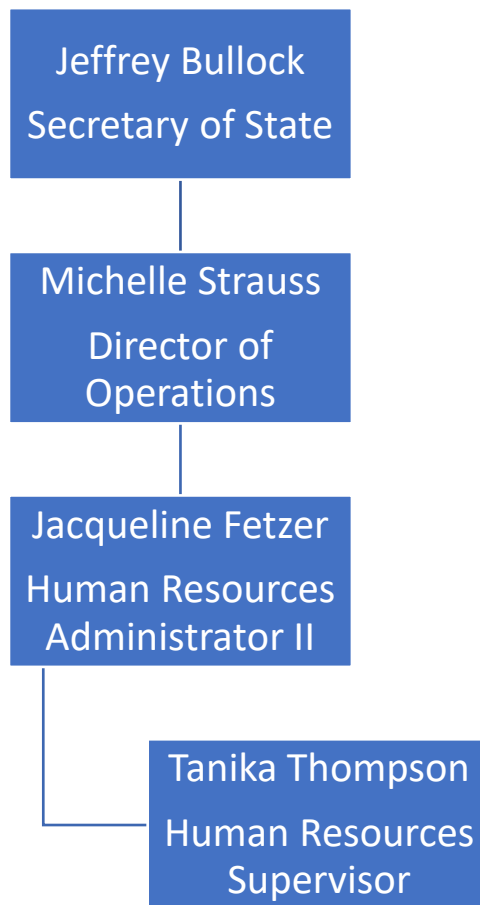
## Responsibilities for Implementation

### RESPONSIBILITIES STATEMENT

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The Secretary of the Department of State oversees the implementation of the Department’s Affirmative Action Plan to ensure that it is implemented promptly and effectively. The Human Resources Administrator II, Jacqueline Fetzer, (302) 608-5231, [Jacqueline.Fetzer@delaware.gov](mailto:Jacqueline.Fetzer@delaware.gov) implements the Affirmative Action Plan and ensures that managers comply with federal and state laws, regulations, and executive orders. The Affirmative Action Officer’s duties and responsibilities include:

- Communication/Advisor to the DOS Executive Team, informing them of equal opportunity progress and reporting potential problem areas through quarterly reports.
- Communication/Assisting management in arriving at effective solutions to AA/EEO problems.
- Serving as liaison between DOS and enforcement agencies.
- Providing input and assistance in providing recommendations to address underutilization and the development of policies and procedures.





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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Address the Delaware Veterans Home High Turnover Rate.	Reduce turnover Rate at the Delaware Veterans Home.	Delaware Veterans Home Management, DOS Human Resources.	Steps taken to provide training in leading and managing people to address turnover rate and reduce complete. Provide training to all hiring managers to improve new employee onboarding and management processes. Focused on exit interviews to help identify issues. Use of climate survey to improve Workplace Environment.	We will continue providing training to employees and staff. Will provide EAP training to improve communication. Additional climate survey to continue the improvement in the environment. DVH Management and HR have developed a Change Committee to further address issues and foster better communications and improve the workplace culture. Turnover rate of 35% for FY22. 8% increase over FY21. Retirements did play a contributing factor.

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<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 2	Increase Employee Satisfaction at The Delaware Veterans Home.	Increase interdivision communication among managers and supervisors to promote greater teamwork and cohesiveness.	Delaware Veterans Home Management, DOS Human Resources, and Deputy Secretary of State.	Hired outside agency to provide climate survey and communication training February 2022. Assigned several DLC trainings to employees and supervisors. Held EAP classes	Continue to ensure DLC training is completed for existing employees and new hires. Complete another climate survey with outside agency in FY23. Further EAP classes. Reclass position to Community Relations Coordinator to help Workplace Environment.
SP-1 Goal 3	Reduce the Veterans Home continued change of Administration.	Retrain long term merit Administrator in lieu of Contractor.	Deputy Secretary of State, HR Administrator.	Contractor Hired as Merit Employee in 2022.	The new Administrator and other top management employees completed all of the training required. Continue to focus on retention.

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Increase the number of divisions completing Performance Plans and Reviews.	100% Completion Goal for Merit Employees. In FY21, 66% of performance reviews were completed by managers versus 38% completed in FY20.	Division Directors, and Supervisors in partnership with DOS HR.	Monthly email communication to Division Directors. Individual emails to Supervisors. Discussions during Secretary Bullock’s Directors Meetings. HR provided training as needed to managers and supervisors on this process.	69% of Performance Plans and Reviews received for FY22. This is a 3% increase over FY21 of 66%. The Delaware Veterans Home continues to be the outlier for the Department of State in reaching 100%.

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Retention – Identify and address climate at the Delaware Veterans Home.	Provide training in the areas of communication and workforce diversity.	DVH Management and DOS HR.	Training provided by an outside vendor. Delaware Learning Center Training provided as well as EAP training provided.	Continued training through Delaware Learning Center and EAP. Second climate survey upcoming in FY23.
SP-3 Goal 2	Recruitment – Look for other ways to continue our outreach and job fairs to recruit nursing staff, etc.	Provide recruitment process training for managers and supervisors.	DVH Management and DOS HR.	Reclass position for Community Outreach Coordinator. Attended job fairs at local schools.	Awaiting reclass for position. Continue to find local job fairs to attend. Division of Corporations and Delaware Veterans Home currently attending job fairs. Focus on nurse recruitment and retention bonuses.

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**SECTION IV: WORKFORCE ANALYSIS**

**DOS Workforce Analysis Overview:**

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The Department of State is underrepresented for minorities in four EEO-4 categories. DOS has 470 employees and minorities represent 31% of the DOS workforce, a 1% decrease from FY21

Below are observable trends that affect DOS' opportunity to increase diversity in their workforce:

- DOS is underrepresented for minorities in four categories. Officials & Administrators and Skilled Craft are underrepresented by more than -10% of the labor market, but Professionals and Service Maintenance are only underrepresented at less than -4% of the labor market.
- DOS is a diverse agency overall with Females making up 72% of the workforce and minorities making up 31% of their workforce.
- DOS has identified ten hard to fill classifications. The majority are in the Nursing field, then Bank Examiners III and Mechanics. Competition is high for nursing from other State Agencies and private hospitals. Bank Examiners often leave for Federal Government which typically offer more competitive salaries.
- Turnover at the Veterans Home has increased in FY22 at 35% versus FY21 at 27%. The DHR Nursing Recruiter is working to fill vacancies quickly, but salary and overall perception of the culture make it difficult to attract and retain employees.
- Applicant pipelines are 40% minority and 34 % male. DOS should target recruitment efforts towards diverse schools and promote job shadowing and internships through The Delaware Pathways Program to provide exposure to students.
- DOS employee satisfaction and retention levels are low. To combat this, DOS should require managers to participate in Leadership/supervisory training every year and evaluate their progress.
- DOS has limited HR staff which makes it difficult to attend job fairs and other events that would attract a diverse talent pool.

In summary, DOS succeeds in creating female pipelines but must expand its outreach to attract males to Health and Office & Clerical jobs which includes their Corporation Assistant. They need to improve their work environment which results in overall employee satisfaction and retention. Partnering with Delaware State University and the High School Pathways programs to offer internship/job shadowing opportunities could help to expose students to their work. DOS's workforce planning and subsequent recruitment efforts should be broad in scope but focus on positions with high turnover and high retirement eligibility such as positions in Nursing, Corporations, and Libraries.

**STATE OF DELAWARE**  
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**FY 2022 EEO REPRESENTATION SUMMARY**

**DOS Demographics at a Glance:**

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The total number of DOS employees as of June 30, 2022, by EEO-4 category is 470.

The DOS EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DOS workforce based on the total number of employees within the eight EEO-4. Analyses are made comparing DOS workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender.

The following summary of findings were derived from this data:

**Minority Representation:**

- Minorities represent 31% of the total DOS workforce, a 1% decrease from last year.
- Minorities are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-12%)
  - Professionals (-1%)
  - Skilled Craft (-21%)
  - Service Maintenance (-6%)

**Female Representation:**

- Females represent 72% of the total DOS workforce, a 1% decrease from last year.
- Females are under-represented in the following EEO-4 categories:
  - Technicians (-10%)

**Male Representation:**

- Males represent 28% of the DOS workforce, a 1% increase from last year.
- Males are under-represented in these EEO-4 categories:
  - Officials & Administrators (-18%)
  - Professional category (-16%)
  - Protective Services (-31%)
  - Para-Professional (-7%)
  - Office & Clerical (-23%)
  - Skilled Craft (-3%)
  - Service Maintenance (-11%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	14	2	1	0	0	0	0	17	37%	1	26	2	1	0	0	0	0	29	63%	0	46	6	13%
2 Professionals	37	4	0	2	0	0	2	45	26%	4	90	22	11	3	0	1	3	130	74%	7	175	48	27%
3 Technicians	2	1	0	0	0	0	0	3	60%	0	1	1	0	0	0	0	0	2	40%	0	5	2	40%
4 Protective Services	7	4	0	0	0	0	0	11	50%	0	5	4	1	1	0	0	0	11	50%	0	22	10	45%
5 Para Professional	6	0	2	0	0	0	1	9	17%	0	27	14	0	1	0	1	2	45	83%	1	54	21	39%
6 Office & Clerical	11	1	2	0	0	0	0	14	12%	2	60	32	2	4	0	0	3	101	88%	3	115	44	38%
7 Skilled Craft	19	1	0	0	0	0	0	20	91%	1	2	0	0	0	0	0	0	2	9%	1	22	1	5%
8 Service Maintenance	10	3	1	0	0	0	0	14	45%	0	9	8	0	0	0	0	0	17	55%	0	31	12	39%
<b>Totals</b>	<b>106</b>	<b>16</b>	<b>6</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>133</b>	<b>28%</b>	<b>8</b>	<b>220</b>	<b>83</b>	<b>15</b>	<b>9</b>	<b>0</b>	<b>2</b>	<b>8</b>	<b>337</b>	<b>72%</b>	<b>12</b>	<b>470</b>	<b>144</b>	<b>31%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022  
(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	13%	-12%	9%	4%	0%	0%	0%	0%
2 Professionals	29%	27%	-1%	15%	6%	3%	0%	1%	3%
3 Technicians	38%	40%	3%	40%	0%	0%	0%	0%	0%
4 Protective Services	37%	45%	9%	36%	5%	5%	0%	0%	0%
5 Para Professional	34%	39%	5%	26%	4%	2%	0%	2%	6%
6 Office & Clerical	31%	38%	7%	29%	3%	3%	0%	0%	3%
7 Skilled Craft	26%	5%	-21%	5%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	39%	-6%	35%	3%	0%	0%	0%	0%

**Female Labor Market Representation FY2022  
(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category					
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian
1 Officials & Administrators	45%	63%	18%	57%	4%	2%	0%	0%	0%
2 Professionals	59%	74%	16%	51%	13%	6%	2%	0%	1%
3 Technicians	50%	40%	-10%	20%	20%	0%	0%	0%	0%
4 Protective Services	19%	50%	31%	23%	18%	5%	5%	0%	0%
5 Para Professional	77%	83%	7%	50%	26%	0%	2%	0%	2%
6 Office & Clerical	65%	88%	23%	52%	28%	2%	3%	0%	0%
7 Skilled Craft	6%	9%	3%	9%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	55%	11%	29%	26%	0%	0%	0%	0%

**Male Labor Market Representation FY2022  
(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category					
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian
1 Officials & Administrators	55%	37%	-18%	30%	4%	2%	0%	0%	0%
2 Professionals	41%	26%	-16%	21%	2%	0%	1%	0%	0%
3 Technicians	50%	60%	10%	40%	20%	0%	0%	0%	0%
4 Protective Services	81%	50%	-31%	32%	18%	0%	0%	0%	0%
5 Para Professional	23%	17%	-7%	11%	0%	4%	0%	0%	2%
6 Office & Clerical	35%	12%	-23%	10%	1%	2%	0%	0%	0%
7 Skilled Craft	94%	91%	-3%	86%	5%	0%	0%	0%	0%
8 Service Maintenance	56%	45%	-11%	32%	10%	3%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and [AGENCY] demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.



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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	-20%	-25%	-12%
2 Professionals	-13%	-19%	-1%
3 Technicians	-14%	-24%	3%
4 Protective Services	4%	13%	9%
5 Paraprofessional	NA	NA	5%
6 Office & Clerical	-3%	-9%	7%
7 Skilled Craft	-22%	-26%	-21%
8 Service Maintenance	NA	NA	-6%

**Table 6** **Female Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	-8%	-9%	18%
2 Professionals	5%	3%	16%
3 Technicians	-8%	-5%	-10%
4 Protective Services	40%	31%	31%
5 Paraprofessional	NA	NA	7%
6 Office & Clerical	29%	30%	23%
7 Skilled Craft	-4%	-6%	3%
8 Service Maintenance	NA	NA	11%

**Table 7** **Male Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	8%	9%	-18%
2 Professionals	-5%	-3%	-16%
3 Technicians	8%	5%	10%
4 Protective Services	-40%	-31%	-31%
5 Paraprofessional	NA	NA	-7%
6 Office & Clerical	-29%	-30%	-23%
7 Skilled Craft	4%	6%	-3%
8 Service Maintenance	NA	NA	-11%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

**Table 8**

<b>Total Complaints by Gender as of 06/30/2022</b>	
Male	4
Woman	14
Other	0
Total	18
<b>Total Complaints by Race/Ethnicity as of 06/30/2022</b>	
Black - African American	8
Asian	1
Hispanic/Latinx	0
Native American/Alaskan Native	0
Not identified	0
Pacific Islander/Native Hawaiian	0
Two or more races	2
White	7
Total	18
<b>Total Complaints by Employment Status as of 06/30/2022</b>	
Merit	18
Non-Merit Exempt	0
Casual/Seasonal	0
Temp/Contract	0
Total	18
<b>Total Complaints by Category as of 06/30/2022</b>	
Informal	3
Formal	13
External	2
Total	18

<b>Total Complaints by Type as of 06/30/2022</b>	
ADA	1
Discrimination	6
Gender	0
Generic Issue	0
Harassment	7
Hostile Work Environment	2
Merit Rule	0
Misconduct	0
Retaliation	2
Sexual Harassment	0
Workplace Violence	0
Total	18
<b>Total Complaints by Current Status as of 06/30/2022</b>	
Open	0
Closed	18
Total	18
<b>Total Complaints by Resolution as of 06/30/2022</b>	
To be Determined	0
Substantiated	2
Unsubstantiated	16
Total	18

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

*Table 8 data were obtained from agency internal records during FY22.*

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	22	42%	0	0%	-100%
Total Female Minority Disciplines	22	42%	21	81%	-5%
Total Male Non-Minority Disciplines	2	4%	0	0%	-100%
Total Male Minority Disciplines	7	13%	5	19%	-29%
<b>Total Disciplines</b>	<b>53</b>	<b>100%</b>	<b>26</b>	<b>100%</b>	<b>-51%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	46	52%	65	50%	29%
Total Female Minority Separations	15	17%	28	22%	46%
Total Male Non-Minority Separations	17	19%	28	22%	39%
Total Male Minority Separations	10	11%	8	6%	-20%
<b>Total Separations</b>	<b>88</b>	<b>100%</b>	<b>129</b>	<b>100%</b>	<b>32%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	20	43%	71	46%	72%
Total Female Minority New Hires	15	32%	41	27%	63%
Total Male Non-Minority New Hires	10	21%	33	21%	70%
Total Male Minority New Hires	2	4%	9	6%	78%
<b>Total New Hires</b>	<b>47</b>	<b>100%</b>	<b>154</b>	<b>100%</b>	<b>69%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	15	54%	32	53%	53%
Total Female Minority Promotions	5	18%	14	23%	64%
Total Male Non-Minority Promotions	6	21%	14	23%	57%
Total Male Minority Promotions	2	7%	0	0%	-100%
<b>Total Promotions</b>	<b>28</b>	<b>100%</b>	<b>60</b>	<b>100%</b>	<b>53%</b>

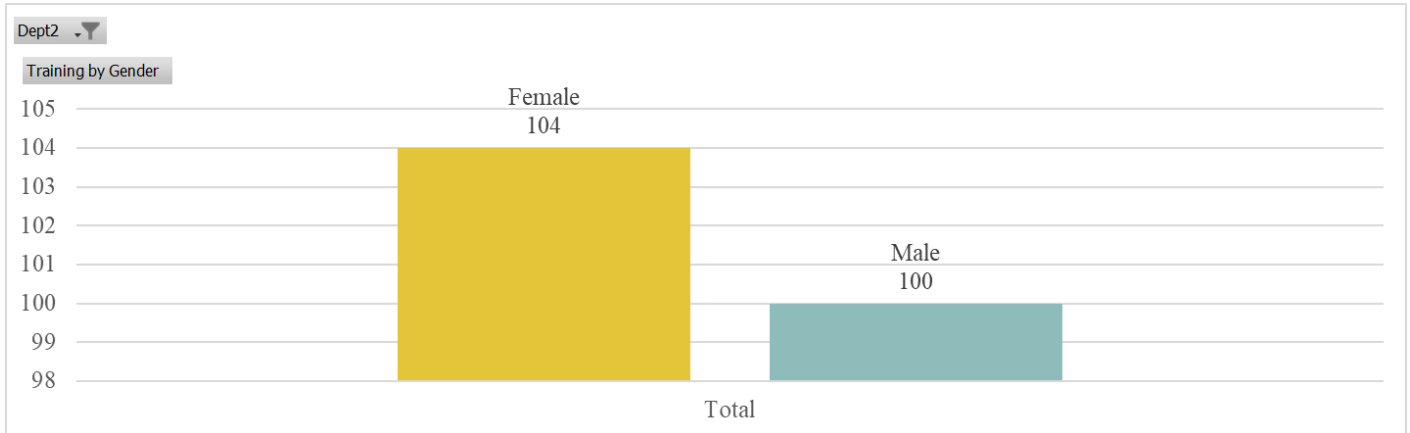
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022*

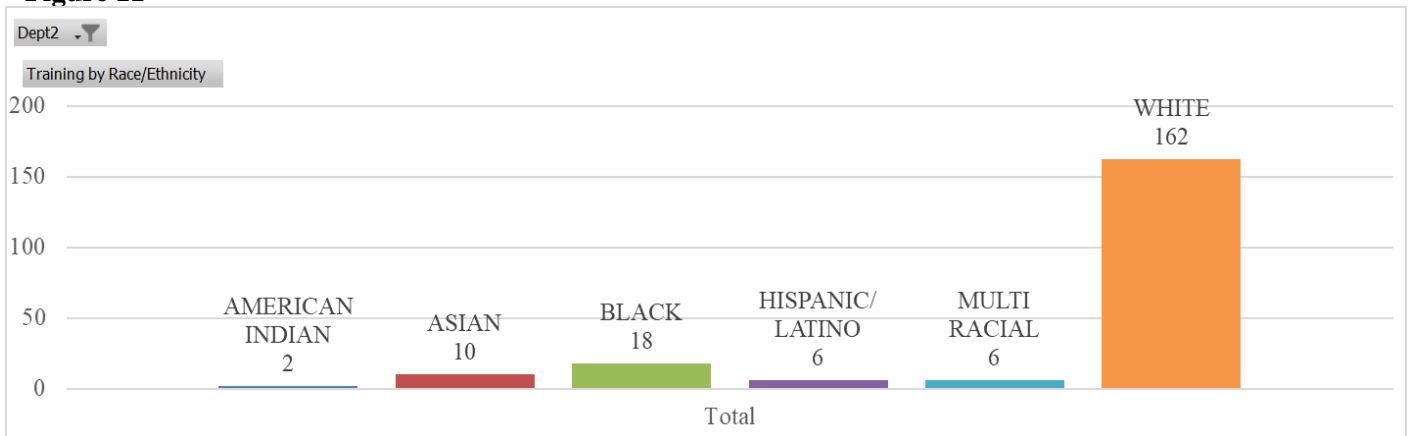
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**SECTION VII: EMPLOYEE ENGAGEMENT**

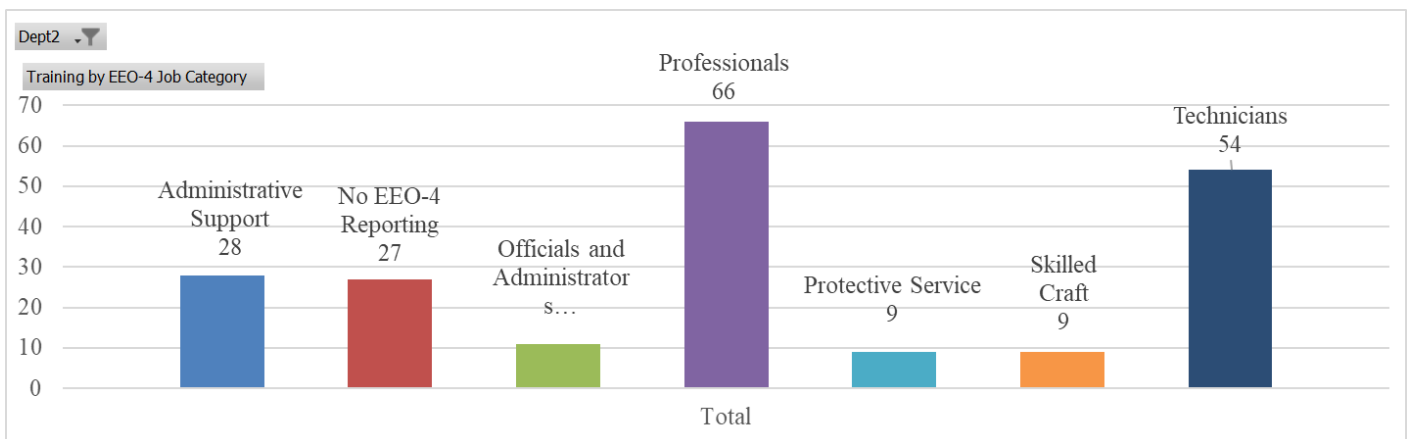
**Figure 10 Training by Gender**



**Figure 11 Training by Race/Ethnicity**



**Figure 12 Training by EEO-4 Job Category**



Figures 10-12 display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.

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**Table 13**

<b>EXIT SURVEY SUMMARY</b>						
	<b>EXCELLEN</b>	<b>GOOD</b>	<b>AVERAGE</b>	<b>BELOW</b>	<b>POOR</b>	<b>TOTAL</b>
<b>Agency as a place to work</b>	23%	35%	31%	12%	0%	100%
	6	9	8	3	0	26
<b>Opportunity for advancement or promotion</b>	4%	28%	24%	16%	28%	100%
	1	7	6	4	7	25
<b>Recognition of accomplishments/contributions</b>	8%	28%	24%	16%	24%	100%
	2	7	6	4	6	25
<b>Relationships with co-workers</b>	31%	38%	23%	4%	4%	100%
	8	10	6	1	1	26
<b>Relationship with your manager/supervisor</b>	38%	27%	23%	4%	8%	100%
	10	7	6	1	2	26
<b>Agency commitment to quality and customer service</b>	31%	58%	8%	4%	0%	100%
	8	15	2	1	0	26
<b>Work area tools available to perform the functions of your job</b>	40%	28%	24%	0%	8%	100%
	10	7	6	0	2	25
<b>Performance goals were clear and you knew what was expected of you in your job</b>	42%	23%	19%	0%	15%	100%
	11	6	5	0	4	26
<b>Training and development needs were assessed and met</b>	24%	32%	28%	8%	8%	100%
	6	8	7	2	2	25
<b>Benefits package</b>	32%	47%	16%	5%	0%	100%
	6	9	3	1	0	19
<b>Compensation</b>	8%	27%	15%	35%	15%	100%
	2	7	4	9	4	26
<b>Family-Friendly Workplace</b>	36%	23%	32%	5%	5%	100%
	8	5	7	1	1	22

**Table 13** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 13 data were obtained from the employee responses provided on an online survey during FY22.*

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**Table 14**

TUITION REIMBURSEMENT SUMMARY	
	Number
Total Non-Minority Female	1
Total Minority Female	1
Total Non-Minority Male	0
Total Minority Male	0
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>2</b>

**Table 14** illustrates the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 14 data were obtained from agency internal records as of 06/30/2022.*

**Table 15**

DISABILITIES SUMMARY	
	Number
Total Employees Self-Identified or Disclosed	20
Total Requests for Accommodations	3
Total Requests Accomodated	3
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

**Table 15** illustrates the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program.

*Table 15 data were obtained from agency internal records, PHRST, and the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
8	10	MAAB02	Corporations Assistant	34	24%	29%	20%
3	7	MABJ01	Bank Examiner I	9	33%	78%	57%
0	0	MABJ02	Bank Examiner II	2	0%	0%	0%
0	0	MABJ03	Bank Examiner III	3	0%	0%	0%
2	3	MABL01	Public Utilities Analyst I	5	40%	60%	33%
0	1	MABL02	Public Utilities Analyst II	2	0%	50%	100%
0	2	MABL03	Public Utilities Analyst III	5	0%	40%	100%
1	1	MCCA24	Equipment Mechanic IV	2	50%	50%	0%
0	0	MCCA25	Master Mechanic	1	0%	0%	0%
37	47	MDCD02	Certified Nursing Assistant	74	50%	64%	21%
1	2	MDGA01	Licensed Practical Nurse I	3	33%	67%	50%
10	13	MDGA03	Licensed Practical Nurse III	15	67%	87%	23%
1	0	MDGB01	Registered Nurse I	1	100%	0%	-100%
0	1	MDGB02	Registered Nurse II	2	0%	50%	100%
7	13	MDGB03	Registered Nurse III	20	35%	65%	46%
2	2	MDGB05	Advanced Practice Nurse	2	100%	100%	0%
1	0	MUDG04	Assistant Nursing Director	3	33%	0%	-100%
1	1	MDGY03	Registered Nurse III (Non-Union)	1	100%	100%	0%
2	4	MDGY04	Nursing Supervisor	9	22%	44%	50%
0	0	MGCA02	Conservation Technician II	1	0%	0%	0%
1	3	MGCA03	Conservation Technician III	8	13%	38%	67%
0	0	MGCA05	Conservation Technician V	1	0%	0%	0%

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**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MAAB02	Corporations Assistant	11	134	12	54	5
MABJ01	Bank Examiner I	1	17	17	9	9
MABJ02	Bank Examiner II	N/A				
MABJ03	Bank Examiner III	N/A				
MABL01	Public Utilities Analyst I	2	6	3	3	2
MABL02	Public Utilities Analyst II	N/A				
MABL03	Public Utilities Analyst III	1	2	2	0	0
MCCA24	Equipment Mechanic IV	1	2	2	1	1
MCCA25	Master Mechanic	N/A				
MDCD02	Certified Nursing Assistant	1	25	25	0	0
MDGA01	Licensed Practical Nurse I	2	8	4	2	1
MDGA03	Licensed Practical Nurse III	1	5	5	0	0
MDGB01	Registered Nurse I	1	4	4	0	0
MDGB02	Registered Nurse II	1	5	5	0	0
MDGB03	Registered Nurse III	2	13	7	1	1
MDGB05	Advanced Practice Nurse	N/A				
MUDG04	Assistant Nursing Director	1	3	3	2	2
MDGY03	Registered Nurse III (Non-Union)	N/A				
MDGY04	Nursing Supervisor	4	10	3	5	1
MGCA02	Conservation Technician II	1	2	2	1	1
MGCA03	Conservation Technician III	4	17	4	8	2
MGCA05	Conservation Technician V	1	4	4	2	2

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*



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**Table 18**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
200101100	State/SOS/Administration	7%	13%	6%
200102100	SOS/Delaware Comm of Veterans Affairs	7%	23%	16%
200102200	SOS/Delaware Comm of Veterans Affairs	0%	17%	17%
200106100	SOS/Government Info Center	0%	0%	0%
200108100	SOS/Public Integrity Commission	0%	0%	0%
200109100	SOS/Employment Relations Board	0%	0%	0%
200201100	Dept of State/Human Relations	20%	0%	-20%
200301100	State/Delaware Public Archives	17%	7%	-10%
200401100	SOS/ST/Reg & License/Profess Regulations	2%	18%	16%
200402100	SOS/ST/Reg & License/Public Service	19%	13%	-6%
200403100	SOS/ST/Reg & License/Public Ad	0%	0%	0%
200501100	State/Corporations	10%	22%	12%
200601100	State/Office of the Director	5%	8%	3%
200701100	State/Arts/Office of the Director	17%	31%	14%
200801100	State/Libraries	15%	8%	-7%
200901100	State/Veterans Home	27%	35%	8%
201001100	State/DE Economic Develop	11%	16%	5%
201002100	State/DE Tourism Office	31%	0%	-31%
201501100	State Banking Commission	12%	18%	6%
<b>Department Average</b>		<b>11%</b>	<b>12%</b>	<b>1%</b>

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**Table 19**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MAAB02	Corporations Assistant	15%	32%	17%
MABJ01	Bank Examiner I	20%	80%	60%
MABJ02	Bank Examiner II	33%	0%	-33%
MABJ03	Bank Examiner III	0%	0%	0%
MABL01	Public Utilities Analyst I	86%	0%	-86%
MABL02	Public Utilities Analyst II	0%	80%	80%
MABL03	Public Utilities Analyst III	0%	0%	0%
MCCA24	Equipment Mechanic IV	0%	0%	0%
MCCA25	Master Mechanic	0%	0%	0%
MDCD02	Certified Nursing Assistant	32%	38%	6%
MDGA03	Licensed Practical Nurse III	74%	67%	-7%
MDGB01	Registered Nurse I	0%	0%	0%
MDGB02	Registered Nurse II	0%	0%	0%
MDGB03	Registered Nurse III	13%	48%	35%
MDGB05	Advanced Practice Nurse	0%	0%	0%
MUDG04	Assistant Nursing Director	67%	80%	13%
MGCA02	Conservation Technician II	0%	67%	67%
MGCA03	Conservation Technician III	20%	18%	-2%
MGCA05	Conservation Technician V	0%	0%	0%

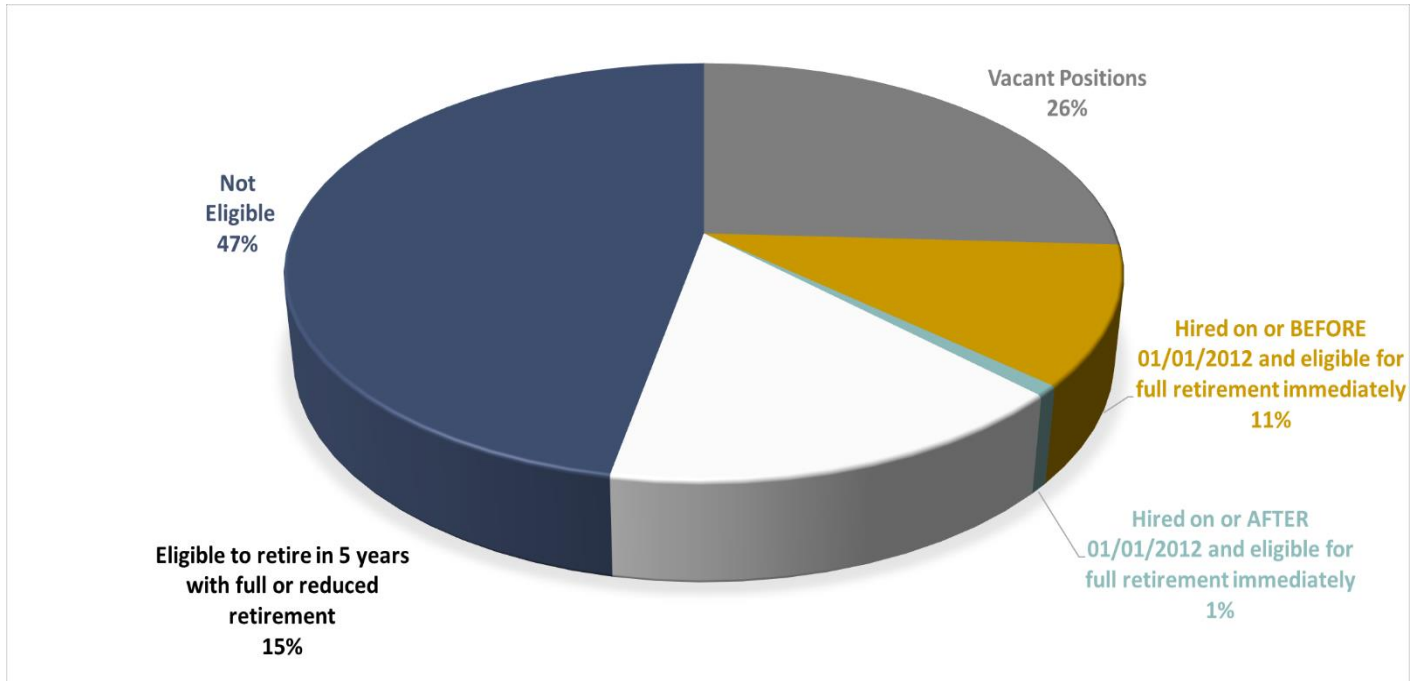
**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

*Figure 20 data were obtained from the PHRST system as of 06/30/2022.*

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Commission on Veterans Affairs</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
22	18	4	3	1	3	11
<b>Employee Relations Board</b>						
4	3	1	2	0	1	0
<b>Government Information Center</b>						
4	4	0	1	0	1	2
<b>Professional Regulations</b>						
42	38	4	4	0	12	22
<b>Public Integrity Commission</b>						
2	2	0	0	0	1	1
<b>Public Service Commission</b>						
30	23	7	6	0	5	12
<b>Public Advocacy Commission</b>						
6	6	0	2	0	2	2
<b>Banking Commission</b>						
36	28	8	5	0	7	16
<b>Arts</b>						
8	8	0	2	0	2	4

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<b>Corporations</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
107	90	17	12	0	23	55
<b>Economic Development Authority</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
21	20	1	0	0	5	15
<b>Administration</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
20	17	3	2	1	2	12
<b>Public Archives</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
31	31	0	6	0	8	17
<b>Tourism</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
7	5	2	0	0	1	4
<b>Libraries</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
15	1	14	4	0	5	-8
<b>Office of the Director</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
48	42	6	9	1	3	29
<b>Veterans Home</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
224	114	110	10	2	18	84
<b>Human and Civil Rights Commission</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
7	7	0	0	0	0	7
<b>Department of State Totals</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
634	457	177	68	5	99	285

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

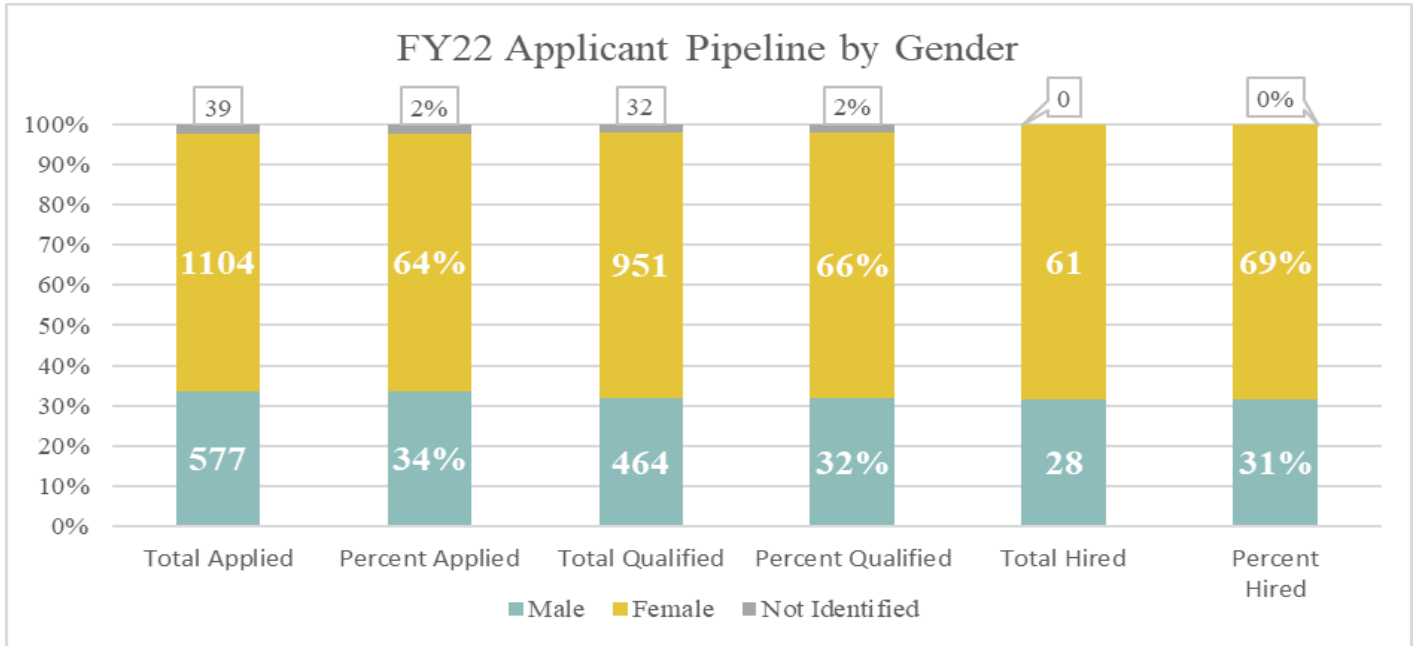
Table 21 data were obtained from the PHRST system as of 06/30/2022.

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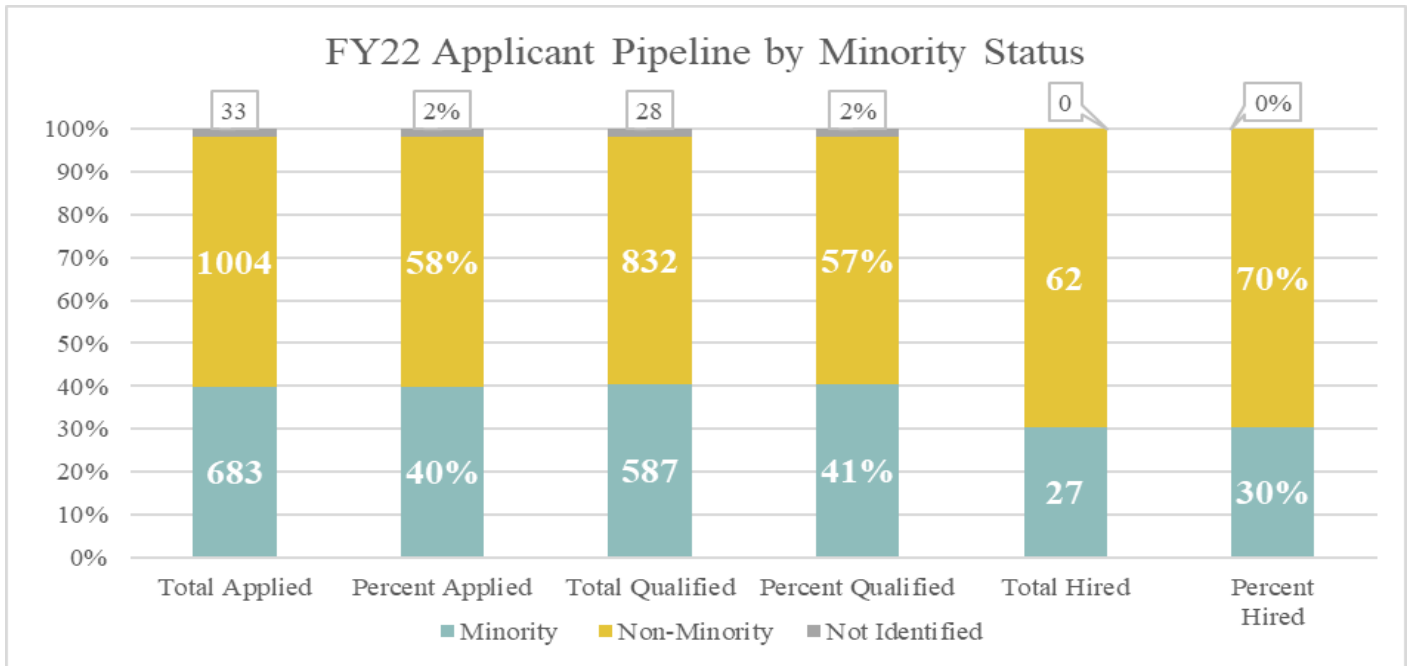
**Applicant Pipeline**

In FY22, 1,720 people applied online to DOS jobs, a 4% decrease from FY21 in which 1,794 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	65	48
FY22	65	48
Change FY21 vs FY22	0	0

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date- to-Referral (days)
FY21	5	8
FY22	6	7
Change FY21 vs FY22	1	-1

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Address the Delaware Veterans Home high Turnover rate.	Continue Workplace Environment improvement and training.	Delaware Veterans Home Management, and DOS HR.	Continue to focus and improve on the Recruitment and Incentive programs. Job Fairs at various Kent and Sussex County job fairs.	Currently ongoing. We await the Reclassification approval for new Community Relations Coordinator to help implement these initiatives and focus on outreach.
SP-1 Goal 2	Increase Employee Satisfaction at Delaware Veterans Home	Continue Workplace Environment improvement and management training. Create a Morale committee to increase morale.	Delaware Veterans Home Management, DOS HR, and Deputy Secretary of State.	Delaware Learning Center, Training from ComPsych, Outside Vendors, and Delaware Learning Center.	This has been ongoing since 2020 and we currently have EAP courses scheduled for Delaware Veterans Home in the Fall of 2023. We also have the Reclass being processed for the Community Relations Coordinator and have already kicked off a new Change Committee for the Division.
SP-1 Goal 3	Improve Turnover Rates as needed.	Provide training to any divisions to assist in fostering a welcoming work environment. Offer recruitment and sign-on incentives as applicable.	DOS Management, Deputy Secretary, Director of Operations, with DOS HR.	Delaware Learning Center, Training from ComPsych, Outside Vendors, and Delaware Learning Center. Committees.	Currently in the works for increased incentives. Training is ongoing as needed by Division. Noted that the COVID-19 Pandemic has caused an influx of retirements and a fluctuation in turnover.



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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition. \*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Increase the number of Divisions within the Department of State completing Performance Plans and Reviews yearly. Plans within 30 days of Hire.	100% Performance Plans and Reviews received for FY23 with the exception of casual seasonal and exempt employees (not required but recommended).	Division Directors, Managers, and Supervisors working in partnership with DOS Human Resources.	Training Directors, Managers, and Supervisors on the process. HR is following up on new hires.	This is an in-progress ongoing initiative.
SP-2 Goal 2	Identify and address any Workplace Environment issues within the Department of State’s Divisions.	Complete climate surveys, as needed for DOS Divisions with any identified needs.	Chief of Operations and DOS HR working with Division Directors.	May work with outside vendors or complete internal surveys as needed.	This continues to be on ongoing initiative and will be reviewed quarterly.

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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their career with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Retention and Recruitment bonus for Delaware Veterans Home and The Division of Corporations.	Reduce turnover rates and increase recruitment bonuses being paid for current employees as well as retain our current employees. Update job requirements as needed. Review Blanket Salaries as a way to increase applicant traffic.	Delaware Veterans Home Management, Division of Corporations Management, Chief of Operations, DOS HR and DOS Payroll Departments.	Grants may be obtained or Department of State funding.	This is an ongoing initiative and will continue during FY23.
SP-3 Goal 2	New hire training for all Department of State Managers and Supervisors.	Provide each Divisions Managers and Supervisors training on the New Hire Process to foster a positive State of Delaware/Department of State image and process for all new hires.	Department of State HR Administrator, Trainer Educator III and Division Directors.	Trainer Educator III training.	This project kicked off in Spring of 2022 and is slowly rolling out to all 17 Divisions. To date 3 Divisions have attended the training.



Delaware Department of  
Services for Children, Youth and Their Families (DSCYF)

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FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022

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Delaware Youth & Family Center • Human Resource Office 1825 Faulkland Road • Wilmington, DE 19805  
Phone: (302) 633-2553 • Fax: (302) 622-4126 • [dhr.delaware.gov](http://dhr.delaware.gov)

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**MEMORANDUM**

¶  
¶  
¶  
TO: → → Claire DeMatteis¶  
→ → Cabinet Secretary, Department of Human Resources¶  
¶  
FROM: → Josette Manning *Josette*¶  
→ → Cabinet Secretary, Department of Services for Children, Youth, and Their Families¶  
¶  
SUBJECT: → Department of Services for Children, Youth, and Their Families¶  
→ → FY22 Equal Opportunity Employment/Affirmative Action Report¶  
→ → and FY 23 Action Plan¶

¶  
DATE: → 12/14/2022¶  
¶  
¶  
¶

Attached is a copy of the Department of Services for Children, Youth, and Their Families FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace. ¶


¶  
If you have any questions, please feel free to contact me at 302-683-2500 or [Josette.Manning@delaware.gov](mailto:Josette.Manning@delaware.gov). ¶

¶  
Thank you. ¶  
¶

Enclosures ¶  
¶

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RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.



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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> The process in this **Respectful Workplace Anti-Discrimination Policy** shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)). Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.  
DHR Respectful Workplace and Anti-Discrimination Policy 7.25.22

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the Investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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Respectful Workplace and Anti-Discrimination Policy	Policy #: To be assigned. Rev. Date: 9/13/2022
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- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Employee and Labor Relations
- **Policy Administrator:** Director of the Division of Employee and Labor Relations
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

*Josette D. Manning*

12/19/22

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**DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES (DSCYF)**  
**FY 2022 EEO REPRESENTATION SUMMARY**

**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

---

The Department of Services for Children, Youth and Their Families (DSCYF) was established in 1983 by the General Assembly of the State of Delaware. Its primary responsibility is to provide and manage a range of services for children who have experienced dependency, abuse, neglect, adjudication, and/or behavioral health conditions. Its services include prevention, early intervention, assessment, treatment, permanency, and aftercare. The Department offers varied career opportunities, attracting and retaining talented employees who are motivated and dedicated to the special charge of the Department to support some of Delaware's most vulnerable citizens and their families.

The Department is comprised of four divisions: The Division of Family Services (DFS), the Division of Youth Rehabilitative Services (DYRS), the Division of Prevention and Behavioral Health Services (DPBHS) and the Division of Management Support Services (DMSS).

The Department employs approximately 1081 full-time employees and 80 casual/seasonal employees at 30 locations, where we serve over 8,000 children on any given day. In addition to our employees housed within the Department's owned and leased space, the Department employs 54 Family Crisis Therapists (51 Merit and 3 contracted employees) who work in elementary schools throughout the state.

***Mission Statement***

The mission of the Department of Services for Children Youth and Their Families is to engage families and communities to promote the safety and well-being of children through prevention, intervention, treatment, and rehabilitative services.

***Vision***

Safe and healthy children, resilient families, and strong communities.

***Core Values***

Safety, Compassion, Respect, Collaboration - S.C.R.C.

**Key Objectives:**

- Investigate child abuse, neglect, and dependency, offer treatment services, foster care, adoption, and independent living:
- Provide accessible and effective behavioral and mental health services in the least restrictive environment possible for children.
- Prevent entry or reentry in one or more of DSCYF's core services by providing prevention and early intervention services.
- Reduce recidivism rates by providing juvenile justice services including detention, institutional care, probation, and aftercare services and;
- Provide educational programs that enable students to continue learning while in Department services and to return to their home school once discharged from services.

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**DEPARTMENT SUMMARY**

Names of Divisions	# of Employees
Management Support Services (DMSS)	184
Prevention and Behavioral Health Services (DPBHS)	229
Youth Rehabilitative Services (DYRS)	320
Family Services (DFS)	348
<b>TOTAL</b>	<b>1,081</b>

**Responsibilities for Implementation**

**RESPONSIBILITIES STATEMENT**

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**Cabinet Secretary:**

The ultimate responsibility for the implementation of the Department's EEO Report and Action Plan rests with the Department's Cabinet Secretary. Each Division Director affirms commitment to the Plan and associated actions through their performance plans and by demonstrating their leadership in implementing the expectations and activities required by the Action Plan.

**Division Directors:**

The Cabinet Secretary delegates responsibility to Division Directors and other members of the Department's management team for carrying out diversity, equity, and inclusion initiatives throughout the Department. The Directors assess the current and previous years' diversity statistics and determine the Divisions' opportunities for improving the diversity of its workforce and ways in which to foster an inclusive environment marked by a sense of belonging.

**DHR/DMSS/Human Resources:**

DMSS houses the Department's centralized human resource's function and, as a result, this Division plays an integral role in the development, implementation, and evaluation of strategies surrounding EEO/AA initiatives. The Human Resources Unit (HR Unit) provides data input for the preparation of Departmental EEO statistical reports. There is an ongoing review of personnel policies and practices with the goal of achieving and maintaining a diverse and inclusive organizational culture. The HR Unit advocates for change as needed and works to keep abreast of best practices in conjunction with external agencies and organizations.

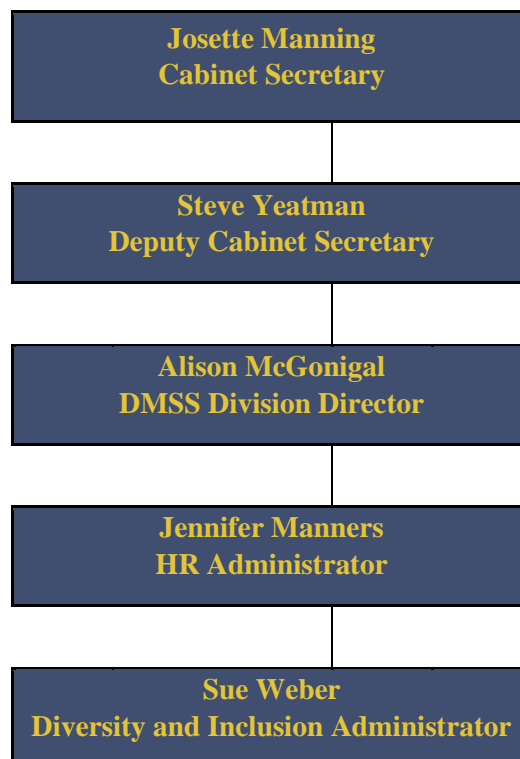
In addition to issues related to policy, the HR Unit monitors and offers counsel to Department leadership regarding employment and selection practices within the Department, and coordinates with the Department of Human Resources (DHR) to ensure that applicant and candidate pools reflect minimum standards of diversity.

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**Diversity and Inclusion Administrator:**

Day-to-day administrative responsibility for the Report and Plan is delegated to the Department's Diversity and Inclusion Administrator whose varied responsibilities include:

- Providing oversight of Departmental compliance with Executive Order Number Eight, the State of Delaware Respectful Workplace and Anti-Discrimination Policy, and applicable state and federal laws.
- Drafting, maintaining, and distributing the Department's EEO Report and Action Plan.
- Serving as the official liaison with relevant State organizations as designated by the Cabinet Secretary, including, but not limited to, the Department of Human Resources/Office of Diversity and Inclusion.
- Consulting with Department leadership and Division staff on workforce diversity, equity, and inclusion issues.
- Ensuring that all EEO procedures and requirements set forth in this Plan are followed.
- Promoting diversity, equal employment opportunity, and inclusion initiatives and providing technical assistance on such issues as recruitment, interviewing, and adhering to applicable regulations and laws governing EEO.
- Conducting EEO investigations ensuring compliance with the Department's policies.
- Serving as the liaison to the Agency's Diversity, Equity and Inclusion Committee as a partner on initiatives that integrate diversity, equity, and inclusion into all aspects of the employment lifecycle.



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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	<ul style="list-style-type: none"> <li>Increase staff retention in key frontline areas.</li> </ul>	<ul style="list-style-type: none"> <li>Staff turnover rates</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> </ul>	<ul style="list-style-type: none"> <li>Attendance Incentives, using ARPA funds, were implemented.</li> <li>Attendance Incentive</li> <li>Overtime Incentive</li> <li>Recruitment and referral incentive increased (from \$3000 to \$5000 sign-on and \$1000 to \$2500 referral bonus)</li> <li>Continuous Quality Improvement Collaborative (CQIC) focus groups held, and reports produced</li> </ul>	<ul style="list-style-type: none"> <li>Monitoring of incentive program through the time of expiration of ARPA funds</li> <li>Currently underway – DSCYF funded</li> <li>Currently underway</li> <li>Introduced mid-FY22 and continues</li> <li>CQIC report completed</li> </ul>
SP-1 Goal 2	<ul style="list-style-type: none"> <li>Maintain well-trained staff, providing developmental opportunities to foster advancement.</li> </ul>	<ul style="list-style-type: none"> <li>Promotion rates</li> <li>Training and development data</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> <li>DHR</li> </ul>	<ul style="list-style-type: none"> <li>HR assigned training modules for development for supervisors and managers</li> <li>Performance Improvement Plan instructions and plan format updated with individualized guidance provided for development from HR-E&amp;LR</li> </ul>	<ul style="list-style-type: none"> <li>HR developing training modules for release in January 2023</li> <li>HR-E&amp;LR completed Performance Improvement Plan updates and The release is underway for early FY23</li> </ul>

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<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 3	<ul style="list-style-type: none"> <li>Reduce complaints, with a focus on improved communication and expectation training.</li> </ul>	<ul style="list-style-type: none"> <li>Number of Respectful Workplace and general Employee &amp; Labor Relations Complaints filed</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> <li>DHR</li> </ul>	<ul style="list-style-type: none"> <li>Trauma-Informed Care Committee released additional training and updated the Supervisors and Managers Guide to trauma-informed care</li> <li>Responses to workplace complaints include training, coaching, and mentoring recommendations to leadership</li> <li>New Agency Diversity, Equity &amp; Inclusion position posted and ready to fill</li> <li>SAMHSA’s Systems of Care Grant obtained for Diversity, Equity &amp; Inclusion Committee follow-up on Steering Committee work during FY21, including work with DE&amp;I consultant (Committee Norms established, workgroups established, regular meeting schedule established, outreach for increased participation continues) and employee survey development, analysis, report, and recommendations</li> </ul>	<ul style="list-style-type: none"> <li>Trauma-Informed Care Committee “Reframing” training for supervisors targeted for release in early FY23</li> <li>DMSS Director follow-up underway to monitor actions taken on workplace complaint recommendations</li> <li>Expected Diversity, Equity &amp; Inclusion position filled in FY23</li> <li>DE&amp;I Committee has met FY22 targets with early FY23 target completion for Phase 1 completions</li> </ul>

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	<ul style="list-style-type: none"> <li>Increase transparency in communication from leadership and stronger supervisor support.</li> </ul>	<ul style="list-style-type: none"> <li>Feedback from Stay Interviews</li> <li>Exit Survey Results</li> <li>Scheduled Town Hall and similar meetings</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> <li>DHR</li> </ul>	<ul style="list-style-type: none"> <li>60 Stay interviews held with Secretary and Deputy Secretary</li> <li>Town Halls held throughout the Department, leveraging the virtual platform for increased participation and dialogue – follow-up provided individually, as necessary.</li> <li>HR-E&amp;LR Q&amp;A sessions scheduled</li> <li>HR-Extranet update plan formatted</li> <li>HR-Newsletter planning</li> <li>CQIC focus groups held and reports produced</li> </ul>	<ul style="list-style-type: none"> <li>Stay interviews conducted with plan for continuation through FY23.</li> <li>Town Halls continue as a way of providing updates and answering staff questions and concerns.</li> <li>HR-E&amp;LR Q&amp;A to be held in early FY23</li> <li>HR-Extranet updates underway as part of the Agency movement to the Intranet platform</li> <li>HR – First Newsletter to be released in October 2023</li> <li>CQIC focus groups held and report completed</li> </ul>

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Strategic Priority	Objective	Measures of Success/Key Results	Responsible Group	Steps Taken	Status
SP-2 Goal 2	<ul style="list-style-type: none"> <li>Increase employee engagement, through supervisor and manager communication skill development and access to additional supportive tools.</li> </ul>	<ul style="list-style-type: none"> <li>Number of Respectful Workplace and general Employee &amp; Labor Relations Complaints filed</li> <li>Employee Turnover Rate</li> <li>Feedback from Stay Interviews</li> <li>Exit Survey Results</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> <li>DHR Training &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>New Agency Diversity, Equity &amp; Inclusion position posted</li> <li>60 Stay interviews held with Secretary and Deputy Secretary</li> <li>HR assigned training modules for development for supervisors and managers</li> <li>Performance Improvement Plan instructions and plan format updated with individualized guidance provided for development from HR-E&amp;LR</li> <li>Responses to workplace complaints include training, coaching, and mentoring recommendations to leadership</li> <li>Trauma-Informed Care Committee released additional training and updated the Supervisors and Managers Guide to trauma-informed care</li> <li>CQIC focus groups held and reports produced</li> </ul>	<ul style="list-style-type: none"> <li>Expected Diversity, Equity &amp; Inclusion position filled in FY23</li> <li>Stay interviews conducted with a plan for continuation through FY23</li> <li>HR developing training modules for release in January 2023</li> <li>HR-E&amp;LR completed Performance Improvement Plan updates and release is underway for early FY23</li> <li>DMSS Director follow-up is underway to monitor actions taken on workplace complaint recommendations</li> <li>Trauma-Informed Care Committee “Reframing” training for supervisors targeted for release in early FY23</li> <li>CQIC focus groups held and report completed</li> </ul>

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<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 3	<ul style="list-style-type: none"> <li>Increase respectful and inclusive communication.</li> </ul>	<ul style="list-style-type: none"> <li>Number of Respectful Workplace and general Employee &amp; Labor Relations Complaints filed</li> <li>Employee Turnover Rate</li> <li>Feedback from Stay Interviews</li> <li>Exit Survey Results</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> <li>DHR</li> </ul>	<ul style="list-style-type: none"> <li>New Agency Diversity, Equity &amp; Inclusion position posted</li> <li>60 Stay interviews held with Secretary and Deputy Secretary</li> <li>Trauma-Informed Care Committee released additional trainings and updated the Supervisors and Managers Guide to trauma-informed care</li> <li>Responses to workplace complaints include training, coaching, and mentoring recommendations to leadership Diversity, Equity &amp; Inclusion Committee follow-up on Steering Committee work during FY21, including work with DE&amp;I consultant (Committee Norms established, workgroups established, regular meeting schedule established, outreach for increased participation continues)</li> <li>CQIC focus groups were held and a report produced</li> </ul>	<ul style="list-style-type: none"> <li>Expected Diversity, Equity &amp; Inclusion position filled in FY23</li> <li>Stay interviews conducted with a plan for continuation through FY23</li> <li>Trauma-Informed Care Committee “Reframing” training for supervisors targeted for release in early FY23</li> <li>DMSS Director follow-up underway to monitor actions taken on workplace complaint recommendations DE&amp;I Committee has met FY22 targets with an early FY23 target completion for Phase 1 completions</li> <li>CQIC focus groups held and report completed</li> </ul>



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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	<ul style="list-style-type: none"> <li>Reduce turnover rates for Division of Youth Rehabilitative Services (YRS) positions of: Youth Care Specialist (YCS), Youth Rehabilitation Treatment Specialist (YRTS) and Family Service Specialist (FSS)</li> </ul>	<ul style="list-style-type: none"> <li>Turnover rate for each position</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> </ul>	<ul style="list-style-type: none"> <li>New Agency Diversity, Equity &amp; Inclusion posted</li> <li>Attendance Incentives, using ARPA funds, were implemented.</li> <li>Attendance Incentive</li> <li>Overtime Incentive</li> <li>Recruitment and referral incentive increase (from \$3000 to \$5000 sign-on and \$1000 to \$2500 referral bonus, and incentive bonus)</li> <li>Utilize stay interview findings to foster retention</li> <li>Utilize results of exit surveys to create retention interventions</li> <li>CQIC focus groups were held and a report produced</li> </ul>	<ul style="list-style-type: none"> <li>Position expected to be filled in FY23</li> <li>Monitoring of incentive program through the time of expiration of ARPA funds</li> <li>Currently underway – DSCYF funded</li> <li>Introduced mid-FY22 and continues</li> <li>Stay interviews conducted with a plan for continuation through FY23</li> <li>June 2023</li> <li>CQIC focus groups held and report completed</li> </ul>

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Strategic Priority	Objective	Measures of Success/Key Results	Responsible Group	Steps Taken	Status
SP-3 Goal 2	<ul style="list-style-type: none"> <li>• Increase the Qualified Candidate Pool</li> </ul>	<ul style="list-style-type: none"> <li>• Creation of new classifications</li> <li>• Inclusion of additional related degrees for targeted positions</li> <li>• Finalization of removal of the degree requirement for Probation Officer positions</li> </ul>	<ul style="list-style-type: none"> <li>• Division Directors</li> <li>• HR Unit</li> <li>• DHR</li> </ul>	<ul style="list-style-type: none"> <li>• Discussions were held with DHR and reclassification underway</li> <li>• Researched advance salary and other potential solutions to Family Services Program Support Supervisor classification issue. There is a licensure requirement for some positions and not others that have created pay impacts.</li> </ul>	<ul style="list-style-type: none"> <li>• Target depends on DHR</li> <li>• Target depends on DHR</li> </ul>

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Strategic Priority	Objective	Measures of Success/Key Results	Responsible Group	Steps Taken	Status
SP-3 Goal 4	<ul style="list-style-type: none"> <li>• Increase the Number of Qualified Candidates Hired</li> </ul>	<ul style="list-style-type: none"> <li>• Time-to-fill</li> <li>• Cost of out-of-pocket pre-employment screening</li> </ul>	<ul style="list-style-type: none"> <li>• Cabinet Secretary</li> <li>• DMSS Division Director</li> <li>• HR Unit</li> </ul>	<ul style="list-style-type: none"> <li>• Conversations underway between Cabinet Secretary, DMSS Division Director, and HR Unit</li> <li>• Waiver of fee for SBI fingerprinting</li> <li>• Scheduling blocks for NCC fingerprinting</li> </ul>	<ul style="list-style-type: none"> <li>• October 2022</li> <li>• October 2022</li> <li>• January 2023</li> </ul>

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**SECTION IV: WORKFORCE ANALYSIS**

**DSCYF Overview:**

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The Department of Services for Children, Youth, and Their Families are underrepresented for minorities in two EEO-4 categories. DSCYF has 1,081 employees and minorities represent 52% of the DSCYF workforce, a 1% increase from FY21.

Below are observable trends that affect DSCYF's opportunity to increase diversity in its workforce:

- DSCYF is underrepresented for minorities in Technicians, but there are only 6 positions in this category. Females are underrepresented in the categories of Technicians and Paraprofessionals. The Paraprofessional category includes the Youth Rehabilitation Counselor series, but DSCYF has statutory requirements for the cottages and the institutions on the ratio of men and women.
- DSCYF has a diverse pipeline of applicants with approximately 31% of applicants identifying as minorities and 72% identifying as women. Although there is typically a large applicant pool, employee retention is a major issue in the Division of Youth Rehabilitative Services and the Division of Family Services. DSCYF is evaluating root causes of turnover through Climate Surveys and Exit Interview data.
- Each Division performs a vital role in helping youth in Delaware, but the nature of this work is stressful and can cause burnout early. Employees often leave DSCYF to work for other State of Delaware Agencies or private entities, where salaries are more competitive.
- DSCYF has hosted several open house hiring events targeting DYRS positions. These events have been successful for DYRS in attracting new applicants since interviews and conditional job offers are made on the spot. During such events, facility tours are provided which give applicants a better idea of the nature of the work.

In summary, DSCYF has a diverse workforce, but the nature of the work results in high turnover, especially in the early stages of employment. DSCYF must focus on supervisor and manager education regarding leadership and supervisory skills to make the working environment inclusive and keep employees engaged. DSCYF should continue its outreach and look at ways to market its positions so that the candidates understand the totality of the job responsibilities. Partnering with Delaware's and nearby Universities and the Delaware Pathways Program to offer internship/job shadowing opportunities could help to expose students to the work. DSCYF's workforce planning, and subsequent recruitment efforts should be broad in scope but focus on positions with high turnover such as Youth Rehabilitation positions and Family Service Specialists.

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**FY2022 EEO/AA REPRESENTATION SUMMARY**

**DSCYF Demographics at a Glance:**

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The total number of DSCYF employees as of June 30, 2022, by EEO-4 category is 1,081.

The DSCYF EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DSCYF workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DSCYF workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender.

The following summary of findings were derived from this data:

**Minority Representation:**

- Minorities represent 52% of the total DSCYF workforce, a 1% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Technicians (-21%)
  - Skilled Craft (-4%)

**Female Representation:**

- Females represent 71% of the total DSCYF workforce, a 1% decrease from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Technicians (-33%)
  - Paraprofessional (-22%)

**Male Representation:**

- Males represent 29% of the DSCYF workforce, a 1% increase from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-21%)
  - Professionals (-21%)
  - Protective Services (-26%)
  - Office & Clerical (-17%)
  - Skilled Craft (-5%)
  - Service Maintenance (-56%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	24	24	0	0	0	0	1	49	34%	2	67	26	1	0	0	0	1	95	66%	1	144	53	37%
2 Professionals	68	55	3	2	1	0	1	130	21%	5	270	178	21	9	0	1	14	493	79%	17	623	285	46%
3 Technicians	4	0	1	0	0	0	0	5	83%	1	1	0	0	0	0	0	0	1	17%	0	6	1	17%
4 Protective Services	4	6	1	0	0	0	0	11	55%	0	2	4	2	0	0	0	1	9	45%	1	20	14	70%
5 Para Professional	11	84	1	0	0	0	1	97	46%	2	29	80	2	0	0	0	4	115	54%	2	212	172	81%
6 Office & Clerical	4	5	1	1	0	0	1	12	18%	2	27	23	1	1	0	0	1	53	82%	3	65	34	52%
7 Skilled Craft	7	1	0	0	0	0	0	8	89%	0	0	0	1	0	0	0	0	1	11%	0	9	2	22%
8 Service Maintenance	0	0	0	0	0	0	0	0	0%	0	0	2	0	0	0	0	0	2	100%	1	2	2	100%
<b>Totals</b>	<b>122</b>	<b>175</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>312</b>	<b>29%</b>	<b>12</b>	<b>396</b>	<b>313</b>	<b>28</b>	<b>10</b>	<b>0</b>	<b>1</b>	<b>21</b>	<b>769</b>	<b>71%</b>	<b>25</b>	<b>1081</b>	<b>563</b>	<b>52%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	37%	12%	35%	1%	0%	0%	0%	1%
2 Professionals	29%	46%	17%	37%	4%	2%	0%	0%	2%
3 Technicians	38%	17%	-21%	0%	17%	0%	0%	0%	0%
4 Protective Services	37%	70%	33%	50%	15%	0%	0%	0%	5%
5 Para Professional	34%	81%	47%	77%	1%	0%	0%	0%	2%
6 Office & Clerical	31%	52%	21%	43%	3%	3%	0%	0%	3%
7 Skilled Craft	26%	22%	-4%	11%	11%	0%	0%	0%	0%
8 Service Maintenance	45%	100%	55%	100%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	66%	21%	47%	18%	1%	0%	0%	0%	1%
2 Professionals	59%	79%	21%	43%	29%	3%	1%	0%	0%	2%
3 Technicians	50%	17%	-33%	17%	0%	0%	0%	0%	0%	0%
4 Protective Services	19%	45%	26%	10%	20%	10%	0%	0%	0%	5%
5 Para Professional	77%	54%	-22%	14%	38%	1%	0%	0%	0%	2%
6 Office & Clerical	65%	82%	17%	42%	35%	2%	2%	0%	0%	2%
7 Skilled Craft	6%	11%	5%	0%	0%	11%	0%	0%	0%	0%
8 Service Maintenance	44%	100%	56%	0%	100%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	34%	-21%	17%	17%	0%	0%	0%	0%	1%
2 Professionals	41%	21%	-21%	11%	9%	0%	0%	0%	0%	0%
3 Technicians	50%	83%	33%	67%	0%	17%	0%	0%	0%	0%
4 Protective Services	81%	55%	-26%	20%	30%	5%	0%	0%	0%	0%
5 Para Professional	23%	46%	22%	5%	40%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	18%	-17%	6%	8%	2%	2%	0%	0%	2%
7 Skilled Craft	94%	89%	-5%	78%	11%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	0%	-56%	0%	0%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and [AGENCY] demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

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**Minority Representation Trends FY20, 21, 22**

**Table 5**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	19%	13%	12%
2 Professionals	22%	16%	17%
3 Technicians	-27%	-13%	-21%
4 Protective Services	31%	28%	33%
5 Paraprofessional	48%	46%	47%
6 Office & Clerical	21%	15%	21%
7 Skilled Craft	27%	4%	-4%
8 Service Maintenance	56%	55%	55%

**Female Representation Trends FY20, 21, 22**

**Table 6**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	22%	23%	21%
2 Professionals	22%	20%	21%
3 Technicians	-21%	0%	-33%
4 Protective Services	18%	21%	26%
5 Paraprofessional	-36%	-23%	-22%
6 Office & Clerical	25%	23%	17%
7 Skilled Craft	4%	4%	5%
8 Service Maintenance	55%	56%	56%

**Male Representation Trends FY20, 21, 22**

**Table 7**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	-22%	-23%	-21%
2 Professionals	-22%	-20%	-21%
3 Technicians	21%	0%	33%
4 Protective Services	-18%	-21%	-26%
5 Paraprofessional	36%	23%	22%
6 Office & Clerical	-25%	-23%	-17%
7 Skilled Craft	-4%	-4%	-5%
8 Service Maintenance	-55%	-56%	-56%

Tables 5, 6, and 7 illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022



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**SECTION V: COMPLAINTS**

Table 8

<b>Total Complaints by Gender as of 06/30/2022</b>	
Male	23
Woman	19
Other	0
<b>Total</b>	<b>42</b>
<b>Total Complaints by Race/Ethnicity as of 06/30/2022</b>	
Black - African American	19
Asian	0
Hispanic/Latinx	3
Native American/Alaskan Native	0
Not identified	0
Pacific Islander/Native Hawaiian	0
Two or more races	0
White	20
<b>Total</b>	<b>42</b>
<b>Total Complaints by Employment Status as of 06/30/2022</b>	
Merit	42
Non-Merit Exempt	0
Casual/Seasonal	0
Temp/Contract	0
<b>Total</b>	<b>42</b>
<b>Total Complaints by Category as of 06/30/2022</b>	
Informal	4
Formal	36
External	2
<b>Total</b>	<b>42</b>

<b>Total Complaints by Type as of 06/30/2022</b>	
ADA	2
Discrimination	4
Gender	0
Generic Issue	5
Harassment	18
Hostile Work Environment	10
Merit Rule	0
Misconduct	1
Retaliation	1
Sexual Harassment	1
Workplace Violence	0
<b>Total</b>	<b>42</b>
<b>Total Complaints by Current Status as of 06/30/2022</b>	
Open	15
Closed	27
<b>Total</b>	<b>42</b>
<b>Total Complaints by Resolution as of 06/30/2022</b>	
To be Determined	12
Substantiated	3
Unsubstantiated	27
<b>Total</b>	<b>42</b>

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

*Table 8 data were obtained from agency internal records during FY22.*

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	9	8%	8	8%	-11%
Total Female Minority Disciplines	41	35%	48	47%	15%
Total Male Non-Minority Disciplines	9	8%	5	5%	-44%
Total Male Minority Disciplines	57	49%	42	41%	-26%
<b>Total Disciplines</b>	<b>116</b>	<b>1.00</b>	<b>103</b>	<b>100%</b>	<b>-11%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	37	19%	59	25%	37%
Total Female Minority Separations	76	40%	107	45%	29%
Total Male Non-Minority Separations	26	14%	25	11%	-4%
Total Male Minority Separations	52	27%	47	20%	-11%
<b>Total Separations</b>	<b>191</b>	<b>100%</b>	<b>238</b>	<b>100%</b>	<b>20%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	37	22%	101	26%	63%
Total Female Minority New Hires	82	49%	193	49%	58%
Total Male Non-Minority New Hires	29	17%	34	9%	15%
Total Male Minority New Hires	20	12%	62	16%	68%
<b>Total New Hires</b>	<b>168</b>	<b>100%</b>	<b>390</b>	<b>100%</b>	<b>57%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	63	35%	63	35%	0%
Total Female Minority Promotions	74	41%	77	43%	4%
Total Male Non-Minority Promotions	16	9%	14	8%	-13%
Total Male Minority Promotions	28	15%	24	13%	-14%
<b>Total Promotions</b>	<b>181</b>	<b>100%</b>	<b>178</b>	<b>100%</b>	<b>-2%</b>

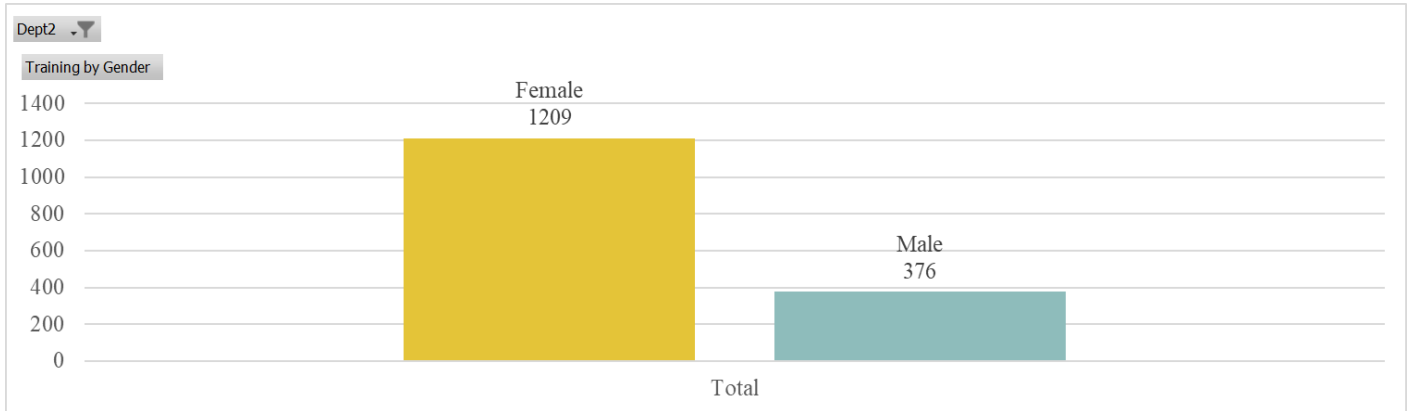
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

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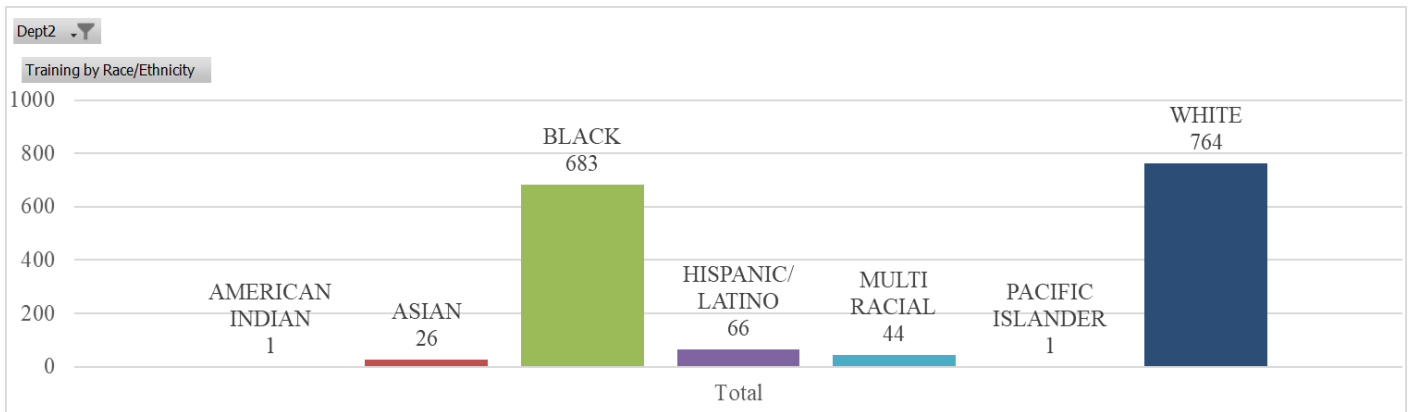
**SECTION VII: EMPLOYEE ENGAGEMENT**

**Figure 10 Training by Gender**

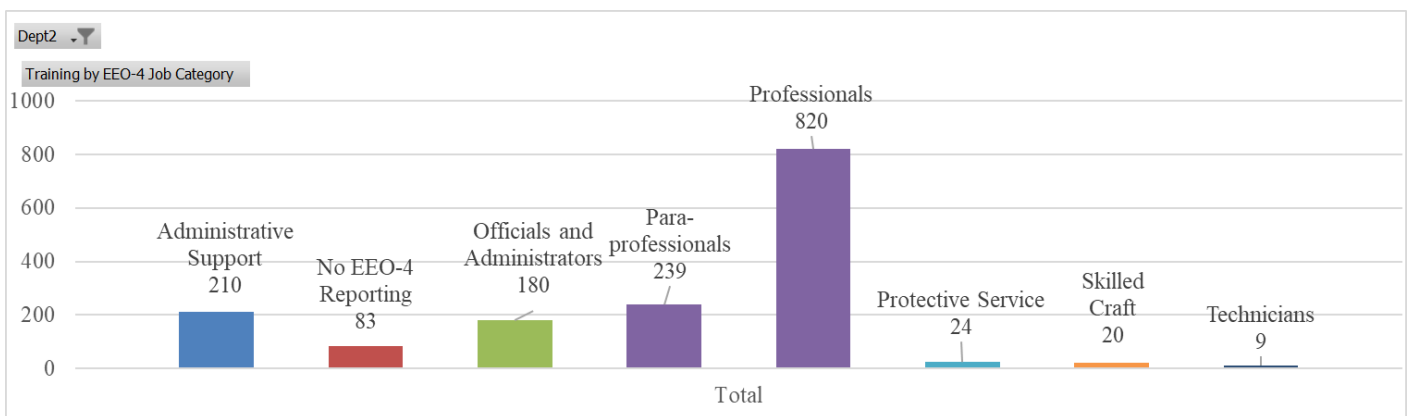


**Training by Race/Ethnicity**

**Figure 11**



**Training by EEO-4 Job Category**



**Figures 10-12** display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

*Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.*

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**Table 13**

<b>TUITION REIMBURSEMENT SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female	7
Total Minority Female	3
Total Non-Minority Male	1
Total Minority Male	1
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>12</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed Disabled	37
Total Requests for Accommodations	51
Total Requests Accommodated	42
Total Selective Placement Candidates Interviewed	1
Total Selective Placement Candidates Hired	0

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement.

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

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**Table 15**

EXIT SURVEY SUMMARY						
	EXCELLENT	GOOD	AVERAGE	BELOW	POOR	TOTAL
Agency as a place to work	14%	40%	28%	8%	9%	100%
	12	34	24	7	8	85
Opportunity for advancement or promotion	6%	25%	24%	29%	16%	100%
	5	21	20	25	14	85
Recognition of accomplishments/contributions	11%	26%	31%	17%	14%	100%
	10	23	27	15	12	87
Relationships with co-workers	40%	36%	19%	3%	2%	100%
	34	31	16	3	2	86
Relationship with your manager/supervisor	41%	23%	20%	11%	5%	100%
	36	20	17	10	4	87
Agency commitment to quality and customer service	17%	34%	26%	9%	13%	100%
	15	30	23	8	11	87
Work area tools available to perform the functions of your job	23%	29%	34%	7%	7%	100%
	20	25	30	6	6	87
Performance goals were clear and you knew what was expected of you in your job	26%	37%	22%	10%	5%	100%
	23	32	19	9	4	87
Training and development needs were assessed and met	21%	35%	26%	7%	12%	100%
	18	30	22	6	10	86
Benefits package	35%	41%	12%	5%	7%	100%
	30	35	10	4	6	85
Compensation	9%	21%	25%	20%	25%	100%
	8	18	21	17	21	85
Family-Friendly Workplace	23%	30%	21%	13%	13%	100%
	20	26	18	11	11	86

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
20	21	MDDC01	Family Crisis Therapist	152	13%	14%	5%
27	39	MDDQ01	Family Service Specialist	98	28%	40%	31%
21	30	MDDV01	Youth Care Specialist I	78	27%	38%	30%
19	18	MDDV02	Youth Care Specialist II	101	19%	18%	-5%
16	11	MDMA01	Youth Rehab. Treatment Specialist	25	64%	44%	-31%

**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MDDC01	Family Crisis Therapist	14	199	14	N/A	N/A
MDDQ01	Family Service Specialist	18	171	10	N/A	N/A
MDDV01	Youth Care Specialist I	15	375	25	N/A	N/A
MDDV02	Youth Care Specialist II	7	223	32	N/A	N/A
MDMA01	Youth Rehab. Treatment Specialist	4	69	17	N/A	N/A

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

**NOTE:** A review of JobAps as well as the Agency process for recording data is underway so “Total # Aps Qualified” and “Average # Aps Qualified” will be reflected in future reports.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 18**

<b>Turnover by Division</b>				
<b>Dept ID</b>	<b>Division</b>	<b>Turnover Rate FY21</b>	<b>Turnover Rate FY22</b>	<b>% Change FY22 vs FY21</b>
370110100	SCYF/Mgt Sup Svcs/Of of Sec	13%	15%	2%
370115100	SCYF/Mgt Sup Svcs/Of ofDirec	11%	13%	2%
370120100	SCYF/Mgt SupportSvs/Fiscal	2%	0%	-2%
370125100	SCYF/MgtSupportSvs/FacMgmt	17%	29%	12%
370135100	SCYF/Center for Prof Develo	0%	50%	50%
370140200	SCYF/Mgt Support Svcs/Educ S	10%	16%	6%
370150100	SCYF/Mgt Sup Svcs/Mgt Info S	23%	21%	-2%
370410100	SCYF/Managed Care Organizat	7%	21%	14%
370420100	SCYF/Early Intervention	4%	18%	14%
370430200	SCYF/Periodic Treatment	9%	14%	5%
370440100	SCYF/24 Hour Treatment	9%	19%	10%
370440200	SCYF/24 Hour Treatment	11%	19%	8%
370510100	SCYF/YRS/Office o/t Directo	0%	50%	50%
370530300	SCYF/YRS/Community Services	3%	23%	20%
370550200	SCYF/YRS/Secure Care	31%	34%	3%
370610100	SCYF/FamilySvs/Of o/t Direc	5%	14%	9%
370630300	SCYF/FamilySvs/Intake/Invst	13%	21%	8%
370640400	SCYF/FamilySvs/Intrvntn/Trt	12%	15%	3%
<b>Department Average</b>		<b>10%</b>	<b>22%</b>	<b>12%</b>

**Table 19**

<b>Turnover by Hard-to-Fill Jobs</b>				
<b>Job Code</b>	<b>Job Title</b>	<b>Turnover Rate FY21</b>	<b>Turnover Rate FY22</b>	<b>% Change FY22 vs FY21</b>
MDDC01	Family Crisis Therapist	10%	5%	-5%
MDDQ01	Family Service Specialist	10%	3%	-8%
MDDV01	Youth Care Specialist I	22%	84%	62%
MDDV02	Youth Care Specialist II	60%	20%	-40%
MDMA01	Youth Rehab. Treatment Specialist	100%	55%	-45%

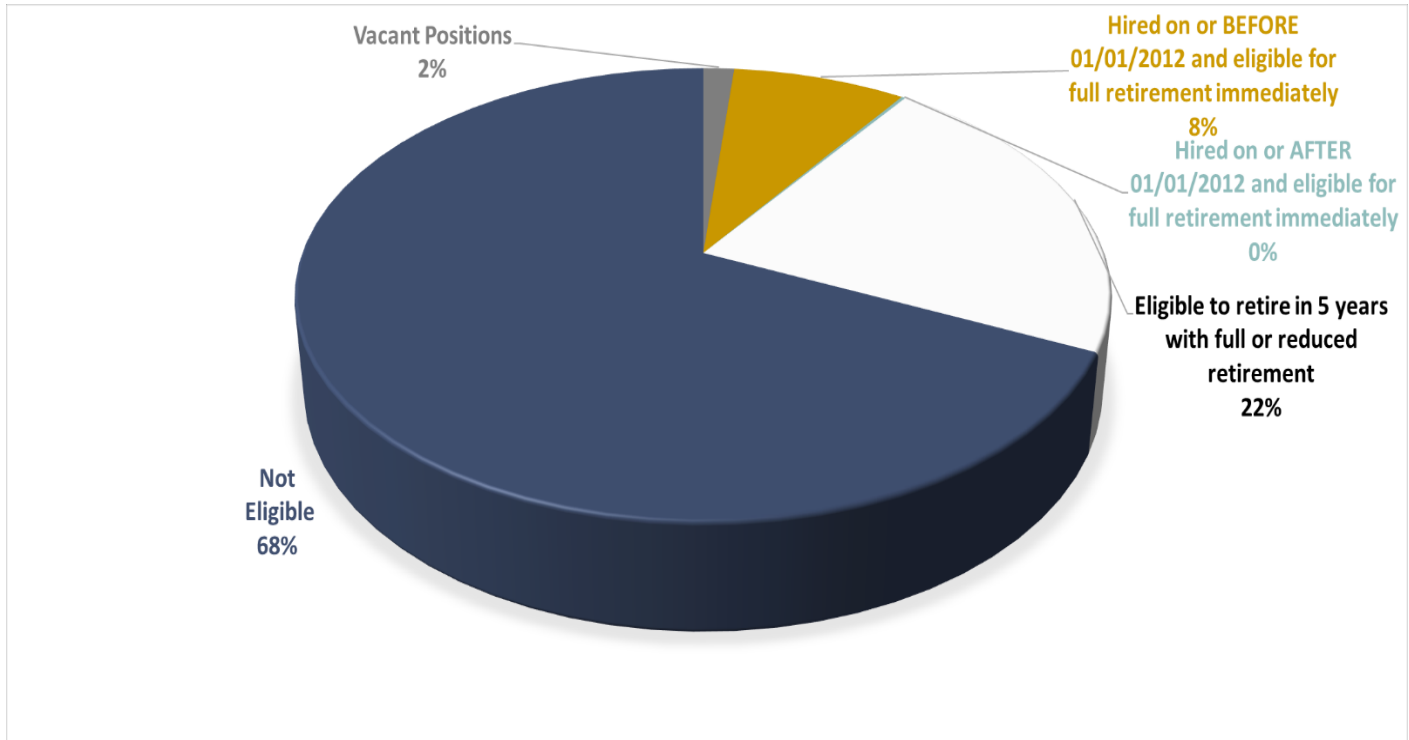
**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.



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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Management Support Services (DMSS)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>193</b>	<b>184</b>	<b>9</b>	<b>29</b>	<b>0</b>	<b>58</b>	<b>97</b>
<b>Prevention and Behavioral Health Services (DPBHS)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>232</b>	<b>229</b>	<b>3</b>	<b>24</b>	<b>1</b>	<b>63</b>	<b>141</b>
<b>Youth Rehabilitative Services (DYRS)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>323</b>	<b>320</b>	<b>3</b>	<b>10</b>	<b>0</b>	<b>63</b>	<b>247</b>
<b>Family Services (DFS)</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>349</b>	<b>348</b>	<b>1</b>	<b>27</b>	<b>1</b>	<b>58</b>	<b>262</b>
<b>Department of Services for Children, Youth, and Their Families Totals</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>1097</b>	<b>1081</b>	<b>16</b>	<b>90</b>	<b>2</b>	<b>242</b>	<b>747</b>

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

*Table 21 data were obtained from the PHRST system as of 06/30/2022.*

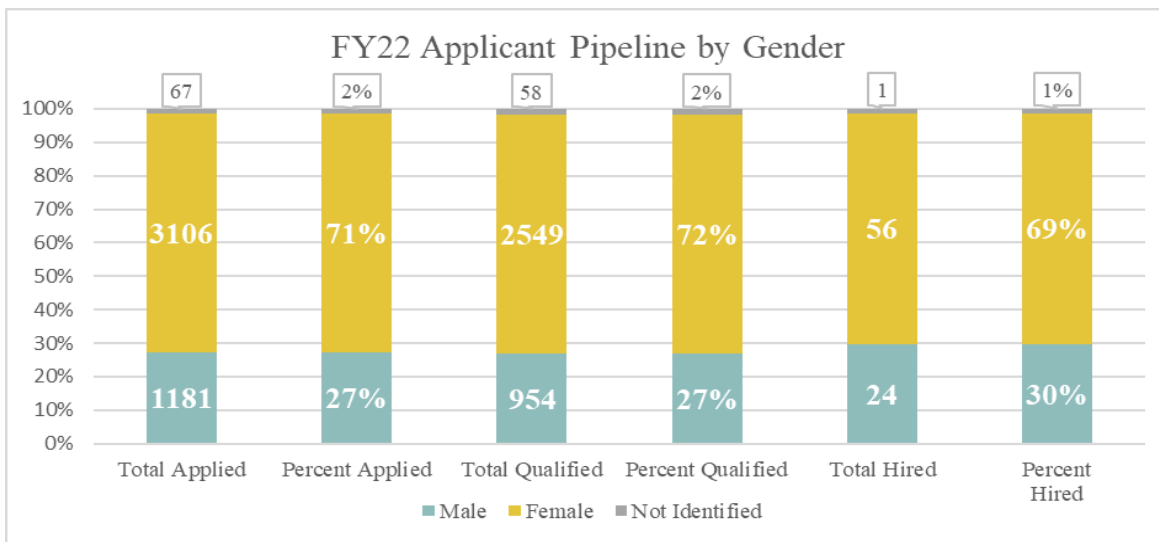
**STATE OF DELAWARE**  
**DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES (DSCYF)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Applicant Pipeline**

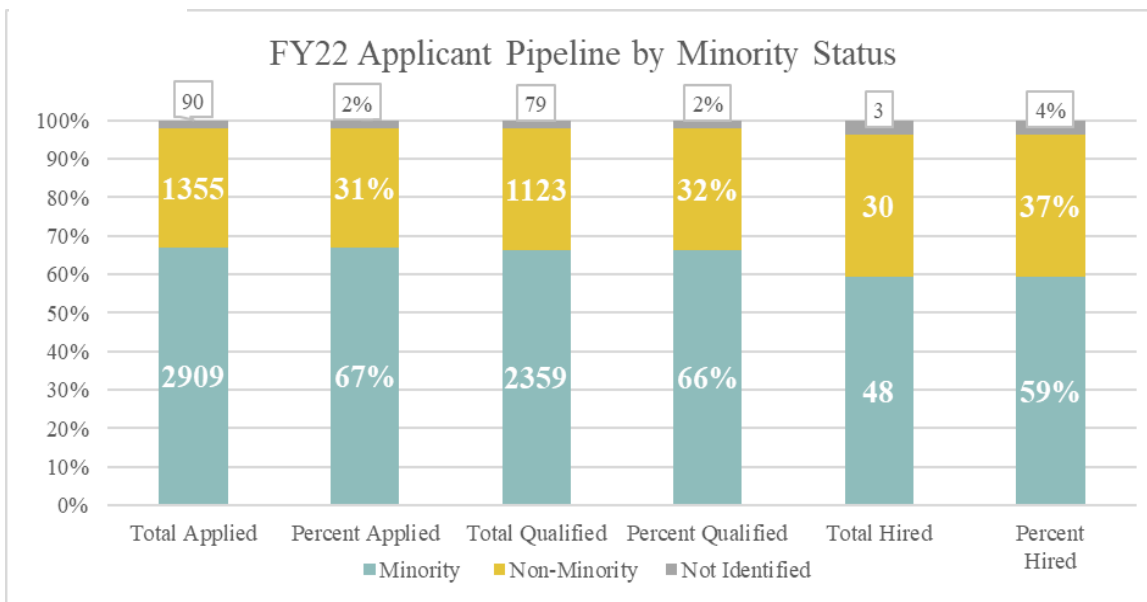
In FY22, 4,354 people applied online to DSCYF jobs, a 6% increase from FY21 in which 4,080 applied. This includes applicants for all jobs posted in the Delaware Employment Link (*JobAps*) Recruitment System including Casual/Seasonal Recruitments.

NOTE: During the course of preparing this report, the Agency realized that *JobAps* data alone would be used to report new hires, as opposed to PHRST data. Historically, *JobAps* was not updated at the time of hire to capture this information. The Agency is now reporting the information through *JobAps*. This is the reason that the reported hires are so low. PHRST data indicates that 143 hires occurred in the fiscal year with an additional 193 transfers.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated is the total number of applicants who were found qualified and hired, also by minority status and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES (DSCYF)**  
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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	82	57
FY22	56	37
Change FY21 vs FY22	<b>-26</b>	<b>-20</b>

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	6	4
FY22	5	3
Change FY21 vs FY22	<b>-1</b>	<b>-1</b>

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time a referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

Strategic Priority	Objective	Measures of Success/Key Results	Responsible Group	Resources/Action Items	Target Date to Launch
SP-1 Goal 1	<ul style="list-style-type: none"> <li>• Increased employee engagement</li> </ul>	<ul style="list-style-type: none"> <li>• Number of Respectful Workplace and general Employee &amp; Labor Relations Complaints filed</li> <li>• Turnover rate</li> <li>• Results of stay interviews</li> </ul>	<ul style="list-style-type: none"> <li>• Supervisors and Managers</li> <li>• Division Directors</li> <li>• HR Unit</li> </ul>	<ul style="list-style-type: none"> <li>• Attendance Incentives, using ARPA funds, were implemented.</li> <li>• Attendance Incentive</li> <li>• Overtime Incentive</li> <li>• Recruitment and referral incentive increased (from \$3000 to \$5000 sign-on and \$1000 to \$2500 referral bonus)</li> <li>• Trauma-Informed Care Committee (“Reframing” training)</li> <li>• Agency Diversity, Equity &amp; Inclusion position</li> <li>• Diversity, Equity &amp; Inclusion Committee (workgroup progress, intranet page)</li> <li>• Utilize exit survey results to create retention initiatives</li> <li>• Continued utilization of stay interview data to foster retention strategies Agency-wide</li> <li>• Speak-Up campaign</li> <li>• Critical Incident Stress Management Team Development</li> <li>• CQIC report and strategic plan</li> </ul>	<ul style="list-style-type: none"> <li>• July 2022 completed</li> <li>• July 2022 completed</li> <li>• July 2022 completed</li> <li>• July 2022 completed</li> <li>• January 2023</li> <li>• January 2023</li> <li>• January 2023</li> <li>• January 2023</li> <li>• July 2023</li> <li>• March 2023</li> <li>• March 2023</li> <li>• October 2022</li> </ul>

# STATE OF DELAWARE

## DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES (DSCYF)

### FY 2022/FY 2023 EEO REPORT AND ACTION PLAN

Strategic Priority	Objective	Measures of Success/Key Results	Responsible Group	Resources	Target Date to Launch
SP-1 Goal 2	<ul style="list-style-type: none"> <li>• Increase Inclusivity and Belonging within a Diverse Workforce</li> </ul>	<ul style="list-style-type: none"> <li>• Number of Respectful Workplace and general Employee &amp; Labor Relations Complaints filed</li> <li>• Turnover rate</li> <li>• Results of stay interviews</li> </ul>	<ul style="list-style-type: none"> <li>• Supervisors and Managers</li> <li>• Division Directors</li> <li>• HR Unit</li> <li>• Training Unit</li> </ul>	<ul style="list-style-type: none"> <li>• Diversity, Equity, and Inclusion Committee</li> <li>• Agency Diversity, Equity &amp; Inclusion position</li> <li>• Awareness months</li> <li>• Implicit Bias training</li> <li>• Mental Health awareness – Stop the Stigma initiatives</li> <li>• Neurodiversity</li> <li>• Intersectionality</li> <li>• Gender identity</li> <li>• CQIC report and strategic plan</li> </ul>	<ul style="list-style-type: none"> <li>• January 2023</li> <li>• January 2023</li> <li>• Jan. 2023</li> <li>• March 2023</li> <li>• May 2023</li> <li>• Dec. 2022</li> <li>• June 2023</li> <li>• June 2023</li> <li>• October 2022</li> </ul>
SP-1 Goal 3	<ul style="list-style-type: none"> <li>• Increased application of diversified recognition programs</li> </ul>	<ul style="list-style-type: none"> <li>• Recognition submission rates</li> <li>• Results of stay interviews</li> </ul>	<ul style="list-style-type: none"> <li>• Supervisors and Managers</li> <li>• Division Directors</li> <li>• HR Unit</li> <li>• DHR</li> </ul>	<ul style="list-style-type: none"> <li>• DSCYF newsletter</li> <li>• Division Spotlight awards</li> <li>• DSCYF/DHR Employee of the Quarter/Year Awards</li> <li>• CQIC report and strategic plan</li> </ul>	<ul style="list-style-type: none"> <li>• January 2023</li> <li>• September 2022</li> <li>• September 2022</li> <li>• October 2022</li> </ul>

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**DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES (DSCYF)**  
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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.\*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	<ul style="list-style-type: none"> <li>Increase transparency in communication from leadership and stronger supervisory support</li> </ul>	<ul style="list-style-type: none"> <li>Turnover rates</li> <li>Results of Stay Interviews</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> </ul>	<ul style="list-style-type: none"> <li>Stay interviews</li> <li>HR-E&amp;LR Q&amp;A sessions</li> <li>HR Intranet updates</li> <li>Division Town Halls</li> </ul>	<ul style="list-style-type: none"> <li>July 2022</li> <li>August 2022</li> <li>October 2022</li> <li>January 2023</li> </ul>
SP-2 Goal 2	<ul style="list-style-type: none"> <li>Increase accountability through performance management</li> </ul>	<ul style="list-style-type: none"> <li>Turnover rates</li> <li>Results of Stay Interviews</li> <li>Rate of performance evaluation completion (potential)</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> </ul>	<ul style="list-style-type: none"> <li>TIC goals incorporated in performance plans</li> <li>Leadership goals incorporated in performance plans</li> <li>CQIC report and strategic plan</li> </ul>	<ul style="list-style-type: none"> <li>January 2023</li> <li>January 2023</li> <li>January 2023</li> </ul>
SP-2 Goal 3	<ul style="list-style-type: none"> <li>Increase leadership knowledge, skills, and abilities of supervisors and managers</li> </ul>	<ul style="list-style-type: none"> <li>Results of Stay Interviews</li> </ul>	<ul style="list-style-type: none"> <li>Division Directors</li> <li>HR Unit</li> </ul>	<ul style="list-style-type: none"> <li>DLC (iLead Frontline Leadership Training)</li> <li>Informal and Formal Mentoring</li> </ul>	<ul style="list-style-type: none"> <li>January 2023</li> <li>March 2023</li> </ul>

**STATE OF DELAWARE**  
**DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES (DSCYF)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	<ul style="list-style-type: none"> <li>Increase Succession Planning and Knowledge Transfer</li> </ul>	<ul style="list-style-type: none"> <li>Turnover rates</li> <li>Results of Stay Interviews</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> <li>Training Unit</li> </ul>	<ul style="list-style-type: none"> <li>Explore use of the Performance Skills (PS) leader tool</li> <li>DISC training and tool</li> </ul>	<ul style="list-style-type: none"> <li>January 2023</li> <li>October 2022 – January 2023</li> </ul>
SP-3 Goal 2	<ul style="list-style-type: none"> <li>Increase leadership skills of supervisors and managers</li> </ul>	<ul style="list-style-type: none"> <li>Turnover rates</li> <li>Results of Stay Interviews</li> <li>Supervisor and manager training reports (enrollment and completion data)</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> <li>Training Unit</li> </ul>	<ul style="list-style-type: none"> <li>Trauma-Informed Approach in supervision (TIC)</li> <li>Diversity, Equity, and Inclusion position and committee</li> <li>HR training modules</li> </ul>	<ul style="list-style-type: none"> <li>October 2022</li> <li>January 2023</li> <li>March 2023</li> </ul>
SP-3 Goal 3	<ul style="list-style-type: none"> <li>Maintain well-trained staff, providing developmental opportunities to foster advancement.</li> </ul>	<ul style="list-style-type: none"> <li>Promotion rate</li> <li>Training and development data</li> <li>Results of stay interviews</li> </ul>	<ul style="list-style-type: none"> <li>Supervisors and Managers</li> <li>Division Directors</li> <li>HR Unit</li> <li>DHR</li> <li>Training Unit</li> </ul>	<ul style="list-style-type: none"> <li>HR training modules</li> <li>iLead Frontline Leadership Training Program</li> <li>Review of DISC Training for teams</li> <li>Leveraging of Performance Evaluation Process</li> <li>Explore inter-Agency collaborations to broaden training opportunities</li> </ul>	<ul style="list-style-type: none"> <li>January 2023</li> <li>March 2023</li> <li>June 2023</li> <li>March 2023</li> <li>March 2023</li> </ul>



## Delaware State Housing Authority (DSHA)

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### FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022





**DOVER**

(302) 739-4263  
(302) 739-6122 FAX  
(302) 739-7428 TDD

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TOLL FREE: (888) 363-8808  
WWW.DESTATEHOUSING.COM

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(302) 577-5001  
(302) 577-5021 FAX

**MEMORANDUM**

**TO:** Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

**FROM:** Eugene Young  
DSHA Director

**SUBJECT:** Delaware State Housing Authority  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

**DATE:** November 28, 2022

Attached is a copy of the Delaware State Housing Authority FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace.*


If you have any questions, please feel free to contact me at 302-739-4263 or EugeneY@destatehousing.com.

Thank you.

Enclosures

**STATE OF DELAWARE**  
**DELAWARE STATE HOUSING AUTHORITY (DSHA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

**STATE OF DELAWARE**  
**DELAWARE STATE HOUSING AUTHORITY (DSHA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

**STATE OF DELAWARE**  
**DELAWARE STATE HOUSING AUTHORITY (DSHA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

Respectful Workplace and Anti-Discrimination Policy

Policy #: To be assigned.  
Rev. Date: 7/25/2022

- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

Respectful Workplace and Anti-Discrimination Policy

Policy #: To be assigned.  
Rev. Date: 7/25/2022

**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

**STATE OF DELAWARE**  
**DELAWARE STATE HOUSING AUTHORITY (DSHA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Respectful Workplace and Anti-Discrimination Policy**

**Policy #: To be assigned.**  
**Rev. Date: 7/25/2022**

- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> The process in this **Respectful Workplace Anti-Discrimination Policy** shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)). Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine



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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the Investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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**9. Associated Policy/Regulations/Information**

- a. The procedures under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a target of discrimination or harassment under State or federal law.
- b. Making a complaint according to this policy will not extend the time frames, prescribed by statute, by which any person must file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a CBA, if applicable, or any court or regulatory body.
- c. The deadline for filing a charge with the DDOL or the EEOC under State and federal laws is three hundred (300) days from the date of the alleged discriminatory action.
- d. [Standards of Conduct Policy and Procedures](#)

**10. Appendices and Forms**

- [Respectful Workplace and Anti-Discrimination Complaint Form](#)
- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Labor Relations and Employment Practices
- **Policy Administrator:** Director of the Division of Labor Relations and Employment Practices
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

The Delaware State Housing Authority (DSHA) was created in 1968 as a public corporation. DSHA administers federal and state housing programs and performs the following major roles: Housing Finance Agency, Public Housing Authority, Community Development Agency Housing Code Enforcement Agency, and a partner with other public and private agencies. In the mid 1990’s, DSHA’s functions and operations were legislatively realigned so that it now operates as a public agency and a public corporation, but it in various ways more autonomous of the State of Delaware. The result of that realignment is that “state employees” who are employed by DSHA as an agency. Non-State employees are hired outside of the Budget Act with DSHA program funds and are not subject to merit rules of other limitations on public employees on public employees. Where state employees participate in the State Employee Pension Plan, non-State employees do not. Instead, DSHA participates in a separate pension program for non-State employees.

Since its reorganization, DSHA has transferred its state employees to non-state through voluntary changes in status by employees and through attrition of State employees and rehiring DSHA employees on a non-State basis. With the passage of time, the number of State employees who work for DSHA has declined and will remain as reflected. The chart below lists sections of the Authority and the number of staff assigned to each. As of June 30, 2022, the total number of DSHA positions is 161, comprised of 1 active State position and 160 non-state or Authority positions.

<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Director’s Office	3
Administration	37
Public Relations	4
Housing Development	32
Housing Finance	9
Housing Management	61
Policy & Planning	15
<b>Total</b>	<b>161</b>

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## Responsibilities for Implementation

### RESPONSIBILITIES STATEMENT

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The Director of Human Resources oversees the implementation of the Department’s Affirmative Action Plan to ensure that it is implemented promptly and effectively. The Acting Human Resources Director, Shelly Huntington, (302) 739-0260, [shelly.huntington@destatehousing.com](mailto:shelly.huntington@destatehousing.com), implements the Affirmative Action Plan and ensures that managers follow federal and state laws, regulations, and executive orders. She is responsible for all areas of Human Resources including EEO/AA oversight and duties. The Affirmative Action Officer’s duties and responsibilities include overseeing the implementation of the proposed processes in the Affirmative Action Plan

An organizational chart below reflects the reporting structure. The Director of Human Resources actions regarding this plan is overseen by the Director’s Office. Refer to the attached appendices for the Affirmative Action Officers tasks and responsibilities as well as a list of federal and state laws, regulations and executive orders that DSHA follows to ensure compliance by Human Resource Management’s EEO/AA Plan requirements as well as related tasks.



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**Section III: FY22 Accomplishments: July 1, 2021 To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Staff Development for all employees regardless of position, race, gender, etc.	Measured progress by actions taken and employees receiving more development and training opportunities.	Human Resources Director	<ul style="list-style-type: none"> <li>• Identified training and education opportunities</li> <li>• Focused on employee development</li> <li>• Ensured knowledge transfer by retaining experts on PT basis.</li> </ul>	Still in progress <ul style="list-style-type: none"> <li>• hired an executive coach</li> <li>• Provided opportunities for employees to attend conferences and training</li> <li>• Hired Training and Development Coordinator</li> </ul>
SP-1 Goal 2	Reduce Employee Turnover	Turnover rate decrease	Human Resources and Direct Supervisors	<ul style="list-style-type: none"> <li>• Offered opportunities for feedback.</li> <li>• Provided conflict resolution.</li> </ul>	20% less terminations than in FY2.
SP-1 Goal 3	More Open and Respectful Work Environment	Less Complaints	Human Resources and All Employees	<ul style="list-style-type: none"> <li>• Non-tolerance of disrespect.</li> <li>• Added additional measure for employee communication</li> </ul>	<ul style="list-style-type: none"> <li>• Disciplinary action taken for inappropriate behavior of employees</li> <li>• Added a link in the newsletter for employee feedback</li> </ul>



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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Increase Capacity	Create new positions as needed Market benefits of working for agency	Management Team and Human Resources Staff	<ul style="list-style-type: none"> <li>Increased Positions as needed</li> <li>Included benefits in ads and marketing</li> </ul>	Increased number of positions by approximately 25%
SP-2 Goal 2	Train Leaders	Add Training and Development Opportunities	Management Team and Human Resources Staff	<ul style="list-style-type: none"> <li>Obtained a Coach for Leaders</li> <li>Hired a Training and Development Coordinator</li> </ul>	In progress – coaching and training in initial phases
SP-2 Goal 3	Re-engage	More positive feedback and greater retention	All Employees led by Management Team and Human Resources Staff	<ul style="list-style-type: none"> <li>Communication and modeling from the top regarding expectations</li> <li>Listened to and applied feedback from staff</li> </ul>	<ul style="list-style-type: none"> <li>Retention has improved greatly</li> <li>Engagement is in progress – employee events and engagement activities are being re-initiated</li> </ul>

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Cross-training and knowledge transference.	Increased Retention and Utilization of Subject Matter Experts (SMEs).	Management Team and Human Resources Staff	<ul style="list-style-type: none"> <li>• Cross-training established</li> <li>• Offered Casual-Seasonal and PT opportunities to SMEs</li> </ul>	<ul style="list-style-type: none"> <li>• Cross-training is in progress</li> <li>• Success in offering and acceptance from SMEs.</li> </ul>
SP-3 Goal 2	Educate and support hiring supervisors regarding the HRIS system.	Offer and assign training on the HRIS System	Human Resources Staff	<ul style="list-style-type: none"> <li>• Helped with the HRIS system</li> <li>• HR staff learning more.</li> </ul>	<ul style="list-style-type: none"> <li>• More training is needed</li> <li>• New employees in HR</li> <li>• New employees in HR need training and standard operating procedures (SOPs) to train others.</li> </ul>
SP-3 Goal 3	More education regarding the hiring process and expected timeframes	Create SOPs regarding the hiring process and communication tools	Human Resources Staff	N/A	<ul style="list-style-type: none"> <li>• New employees in HR</li> <li>• New employees in HR need training and SOPs to train others.</li> </ul>

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**SECTION IV: WORKFORCE ANALYSIS**

**DSHA Overview:**

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The Delaware State Housing Authority (DSHA) is doing well regarding being a diverse agency. DSHA had 161 employees in FY22, and minorities represented 47% of the DSHA workforce, a 3% increase from FY21

Below are observable trends that affect DSHA's opportunity to increase diversity in their workforce:

- DSHA is diverse overall with good parity throughout race/ethnicity and gender demographics
- DSHA's small workforce results in limited opportunities to increase diversity.
- DSHA must improve their workplace climate through manager training which focuses on diversity, cultural sensitivity, and effective communication.
- DSHA has a 18% turnover rate which is mostly due to retirees and casual seasonal staff leaving the workforce. With limited personnel, it is essential that DSHA engage in proactive workforce planning to identify succession or recruitment plans for anticipated retirements. This provides the current incumbents the opportunity to teach skills and transfer knowledge to the agency.

In summary, DSHA is a diverse agency with staffing and retention issues to resolve. DSHA will implement more staff development opportunities and always work toward diversity and cultural sensitivity training and action to improve the work experience to retain and engage employees. DSHA will continue to enhance their Management and leadership education and supervisory skillset to ensure that the working environment is inclusive and respectful.

With a small workforce, DSHA must always prepare for turnover and potential knowledge loss related to retirement. Therefore, DSHA will utilize outreach and marketing to attract students, exceptional candidates, and well-qualified applicants to the agency. They will continue partnering with Delaware universities and other programs to offer internship/job shadowing opportunities to attract candidates to the agency. DSHA's workforce planning includes a focus on positions with retirement eligible employees. DSHA will continue to work with directors, supervisors, and managers on succession planning and knowledge transfer to ensure better future.

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## **DSHA Demographics at a Glance:**

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The total number of DSHA employees as of June 30, 2022, by EEO-4 category is 161.

The DSHA EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DSHA workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DSHA workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DSHA does not hire in the Protective Services and Skilled Craft EEO-4 categories.

The following summary of findings were derived from this data:

### **Minority Representation:**

- Minorities represent 47% of the total DSHA workforce, a 3% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Technicians (-4%)
  - Skilled Craft (-26%)

### **Female Representation:**

- Females represent 69% of the total DSHA workforce, the same as FY21.
- Females are under-represented in the following EEO-4 categories:
  - Technicians (-50%)
  - Skilled Craft (-6%)
  - Service Maintenance (-38%)

### **Male Representation:**

- Males represent 31% of the DSHA workforce, the same as FY21.
- Males are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-21%)
  - Professionals (-19%)
  - Office & Clerical (-32%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	4	3	1	1	0	1	1	11	34%	0	12	9	0	0	0	0	0	21	66%	0	32	16	50%
2 Professionals	9	4	0	1	0	1	1	16	22%	0	32	17	5	1	0	0	2	57	78%	0	73	32	44%
3 Technicians	2	0	1	0	0	0	0	3	100%	0	0	0	0	0	0	0	0	0	0.00%	0	3	1	33%
4 Protective Services	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
5 Para Professional	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
6 Office & Clerical	0	0	0	0	0	1	0	1	3%	0	15	14	2	0	0	0	1	32	97%	0	33	18	55%
7 Skilled Craft	2	0	0	0	0	0	0	2	100%	0	0	0	0	0	0	0	0	0	0.00%	0	2	0	0%
8 Service Maintenance	8	8	0	0	0	0	1	17	94%	0	1	0	0	0	0	0	0	1	6%	0	18	9	50%
<b>Totals</b>	<b>25</b>	<b>15</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>50</b>	<b>31%</b>	<b>0</b>	<b>60</b>	<b>40</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>111</b>	<b>69%</b>	<b>0</b>	<b>161</b>	<b>76</b>	<b>47%</b>

**Table 1** illustrates the total FY22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the Paycom HRIS system as of 06/30/2022.*

**STATE OF DELAWARE**  
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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	50%	25%	38%	3%	3%	0%	3%	3%
2 Professionals	29%	44%	15%	29%	7%	3%	0%	1%	4%
3 Technicians	38%	33%	-4%	0%	33%	0%	0%	0%	0%
4 Protective Services	37%	0%	NA	0%	0%	0%	0%	0%	0%
5 Para Professional	34%	0%	NA	0%	0%	0%	0%	0%	0%
6 Office & Clerical	31%	55%	24%	42%	6%	0%	0%	3%	3%
7 Skilled Craft	26%	0%	-26%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	50%	5%	44%	0%	0%	0%	0%	6%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	66%	21%	38%	28%	0%	0%	0%	0%	0%
2 Professionals	59%	78%	19%	44%	23%	7%	1%	0%	0%	3%
3 Technicians	50%	0%	-50%	0%	0%	0%	0%	0%	0%	0%
4 Protective Services	19%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	77%	0%	NA	0%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	65%	97%	32%	45%	42%	6%	0%	0%	0%	3%
7 Skilled Craft	6%	0%	-6%	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	6%	-38%	6%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	34%	-21%	13%	9%	3%	3%	0%	3%	3%
2 Professionals	41%	22%	-19%	12%	5%	0%	1%	0%	1%	1%
3 Technicians	50%	100%	50%	67%	0%	33%	0%	0%	0%	0%
4 Protective Services	81%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	23%	0%	NA	0%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	3%	-32%	0%	0%	0%	0%	0%	3%	0%
7 Skilled Craft	94%	100%	6%	100%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	94%	38%	44%	44%	0%	0%	0%	0%	6%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and agency demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the Paycom HRIS system as of 06/30/2022.

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**Minority Representation Trends FY20, 21, 22**

**Table 5**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	30%	23%	25%
2 Professionals	17%	8%	15%
3 Technicians	23%	-4%	-4%
4 Protective Services	N/A	N/A	N/A
5 Paraprofessional	NA	N/A	N/A
6 Office & Clerical	23%	19%	24%
7 Skilled Craft	-11%	N/A	N/A
8 Service Maintenance	25%	3%	5%

**Female Representation Trends FY20, 21, 22**

**Table 6**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	19%	25%	21%
2 Professionals	17%	26%	19%
3 Technicians	-29%	-50%	-50%
4 Protective Services	N/A	N/A	N/A
5 Paraprofessional	N/A	N/A	N/A
6 Office & Clerical	30%	-15%	32%
7 Skilled Craft	7%	N/A	N/A
8 Service Maintenance	-45%	-39%	-38%

**Male Representation Trends FY20, 21, 22**

**Table 7**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	-19%	-25%	-21%
2 Professionals	-17%	-26%	-19%
3 Technicians	29%	50%	50%
4 Protective Services	N/A	N/A	N/A
5 Paraprofessional	N/A	N/A	N/A
6 Office & Clerical	-30%	15%	-32%
7 Skilled Craft	-7%	N/A	N/A
8 Service Maintenance	45%	39%	38%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the Paycom HRIS system as of 06/30/2022.*

**STATE OF DELAWARE**  
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**SECTION V: COMPLAINTS**

**Table 8**

<b>Complaint Summary</b>					
	<b>FY21</b>		<b>FY22</b>		<b>% Change</b>
	<b>Total</b>	<b>%</b>	<b>Total</b>	<b>%</b>	
Total Informal Complaints Received	1	10%	4	36%	75%
Total Informal Complaints Resolved Internally	1	10%	4	36%	75%
Total Formal Complaints Received	4	40%	2	18%	-50%
Total Formal Complaints Resolved	4	40%	1	9%	-75%
Total External Complaints Received	0	0%	0	0%	0%
Total External Complaints Resolved	0	0%	0	0%	0%

**Table 8** illustrates the total complaints received and resolved by type of complaint, Informal, Formal, and External. DSHA will report complaints in the same method as other Executive Branch Agencies in FY23.

*Table 8 data were obtained from agency internal records during FY22.*



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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	4	40%	1	17%	-75%
Total Female Minority Disciplines	3	30%	1	17%	-67%
Total Male Non-Minority Disciplines	1	10%	2	33%	50%
Total Male Minority Disciplines	2	20%	2	33%	0%
<b>Total Disciplines</b>	<b>10</b>	<b>100%</b>	<b>6</b>	<b>100%</b>	<b>-40%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	3	19%	7	27%	57%
Total Female Minority Separations	5	31%	8	31%	38%
Total Male Non-Minority Separations	1	6%	4	15%	75%
Total Male Minority Separations	7	44%	7	27%	0%
<b>Total Separations</b>	<b>16</b>	<b>100%</b>	<b>26</b>	<b>100%</b>	<b>38%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	3	23%	9	27%	67%
Total Female Minority New Hires	6	46%	18	55%	67%
Total Male Non-Minority New Hires	0	0%	0	0%	0%
Total Male Minority New Hires	4	31%	6	18%	33%
<b>Total New Hires</b>	<b>13</b>	<b>100%</b>	<b>33</b>	<b>100%</b>	<b>61%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	3	60%	11	69%	73%
Total Female Minority Promotions	2	40%	3	19%	33%
Total Male Non-Minority Promotions	0	0%	1	6%	100%
Total Male Minority Promotions	0	0%	1	6%	100%
<b>Total Promotions</b>	<b>5</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>69%</b>

**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the Paycom HRIS system as of 06/30/2022.*

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**SECTION VII: EMPLOYEE ENGAGEMENT**

**Table 10**

<b>EEO TRAINING SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female Attendees	41
Total Minority Female Attendees	40
Total Non-Minority Male Attendees	20
Total Minority Male Attendees	11
<b>Total Employees Attending Training</b>	<b>112</b>

**Table 10** displays the total number of attendees for D&I-related training courses by gender and minority status.

*Table 10 data were obtained from agency internal records during FY22*

**Table 11**

<b>TUITION REIMBURSEMENT SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female	0
Total Minority Female	2
Total Non-Minority Male	0
Total Minority Male	1
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>3</b>

**Table 11** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 11 data were obtained from agency internal records during FY22*

**Table 12**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed Disabled	12
Total Requests for Accommodations	14
Total Requests Accommodated	14
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

**Table 12** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via Selective Placement.

*Table 12 data were obtained from agency internal records system as of 06/30/2022.*

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**Table 13**

<b>EXIT SURVEY SUMMARY</b>					
	<b>EXCELLENT</b>	<b>GOOD</b>	<b>AVERAGE</b>	<b>BELOW</b>	<b>TOTAL</b>
<b>Agency as a place to work</b>	60%	10%	20%	10%	100%
	6	1	2	1	10
<b>Opportunity for advancement or promotion</b>	0%	0%	90%	10%	100%
	0	0	9	1	10
<b>Recognition of accomplishments/contributions</b>	0%	0%	80%	20%	100%
	0	0	8	2	10
<b>Relationships with co-workers</b>	60%	10%	20%	10%	100%
	6	1	2	1	10
<b>Relationship with your manager/supervisor</b>	80%	10%	10%	0%	100%
	8	1	1	0	10
<b>Agency commitment to quality and customer service</b>	100%	0%	0%	0%	100%
	10	0	0	0	10
<b>Work area tools available to perform the functions of your job</b>	100%	0%	0%	0%	100%
	10	0	0	0	10
<b>Performance goals were clear and you knew what was expected of you in your job</b>	90%	10%	0%	0%	100%
	9	1	0	0	10
<b>Training and development needs were assessed and met</b>	70%	30%	0%	0%	100%
	7	3	0	0	10
<b>Benefits package</b>	90%	10%	0%	0%	100%
	9	1	0	0	10
<b>Compensation</b>	0%	10%	60%	30%	100%
	0	1	6	3	10
<b>Family-Friendly Workplace</b>	0%	0%	0%	0%	0%
	0	0	0	0	0

**Table 13** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 13 data were obtained from the employee responses provided on an online survey during FY22*

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**DELAWARE STATE HOUSING AUTHORITY (DSHA)**  
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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 14**

HARD-TO-FILL VACANCIES						
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
2	2	Facility Maintenance Mechanic	19	11%	11%	0%

**Table 15**

HARD-TO-FILL APPLICANT PIPELINE					
Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
Facility Maintenance Mechanic	4	24	6	19	5

Tables 14 and 15 display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

Table 14 and 15 data were obtained from the Paycom HRIS system as of 06/30/2022.

**Table 16**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
100801001	Delaware State Housing Authority	13%	18%	5%

**HARD-TO-FILL**

**Table 17**

Turnover by Hard-to-Fill Jobs			
Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
Facility Maintenance Mechanic	N/A	10%	N/A

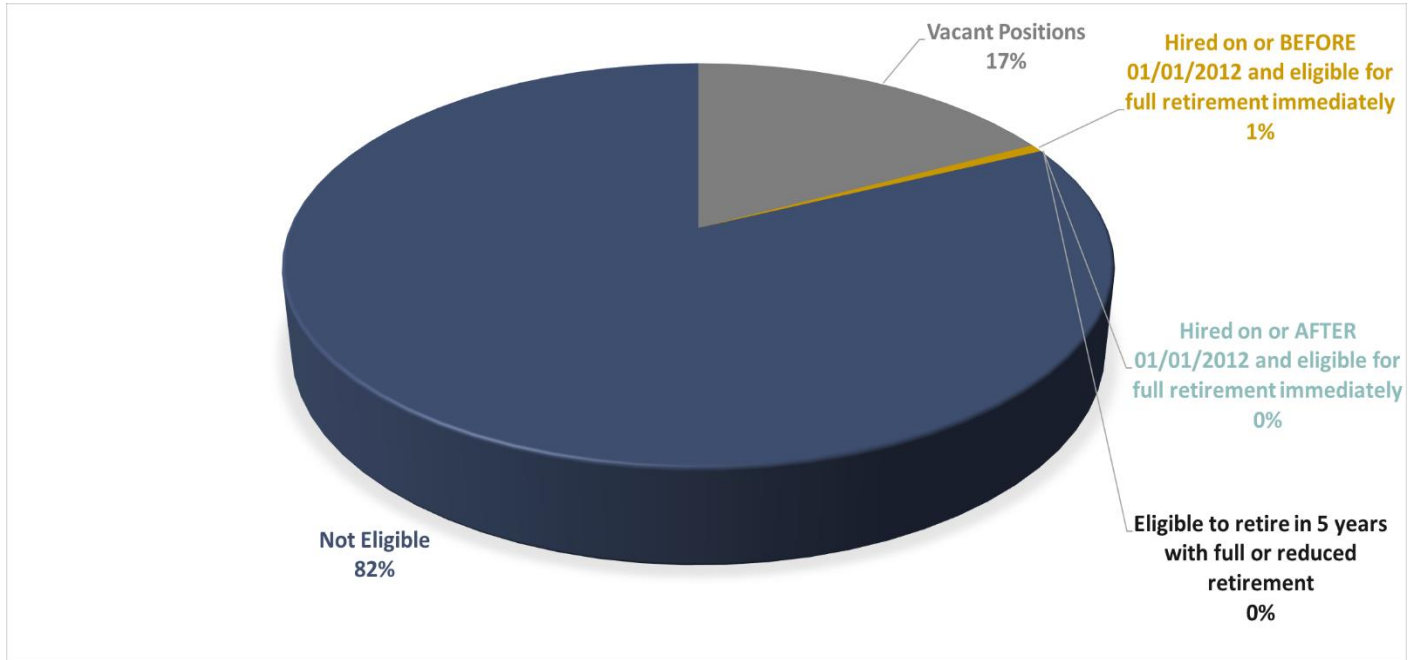
Tables 16 and 17 display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

Tables 16 and 17 data were obtained from the Paycom HRIS system as of 06/30/2022.

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22\***

**Figure 18**



**Figure 18** illustrates the percentage of positions based on their retirement eligibility status.

*Figure 18 data were obtained from agency systems as of 06/30/2022.*

**Retirement Eligible Criteria:**

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

**Table 19 RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022 \***

Total # Positions	Delaware State Housing Authority					
	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>161</b>	<b>133</b>	<b>28</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>132</b>

**Table 19** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

*Table 19 data were obtained from agency systems as of 06/30/2022.*

\*DSHA employees are tracked outside of the PHRST database. DSHA is developing methods to analyze retirement data for FY23.

**STATE OF DELAWARE**  
**DEPARTMENT OF SAFETY AND HOMELAND SECURITY (DSHS)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**DSHA USES THEIR OWN INDEPENDENT RECRUITMENT SYSTEMS AND PROCESSES. THEREFORE, APPLICANT PIPELINE AND RECRUITMENT, AND HIRING TIME DATA ARE NOT AVAILABLE AT THIS TIME.**

**STATE OF DELAWARE**  
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**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Staff development for all employees regardless of position, race, gender, etc.	Measure progress by actions taken and employees receiving more development and training opportunities.	Human Resources Director/ Executive Team	<ul style="list-style-type: none"> <li>• Training and education opportunities</li> <li>• New Staff to plan and implement employee development</li> <li>• Subject Matter Experts Available</li> </ul>	Ongoing through FY23
SP-1 Goal 2	Reduce employee turnover	Turnover rate decrease	Human resources and direct supervisors	<ul style="list-style-type: none"> <li>• Marketable</li> <li>• Finances available</li> </ul>	Ongoing through FY23
SP-1 Goal 3	Improve work environment	Fewer complaints and higher retention	Human Resources and all employees	<ul style="list-style-type: none"> <li>• Training</li> <li>• Coaching</li> </ul>	Ongoing through FY23

**STATE OF DELAWARE**  
**DELAWARE STATE HOUSING AUTHORITY (DSHA)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.\*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
Sp-2 Goal 1	Increase capacity	Development internal staff. Hire new staff as needed	Management team and human resources staff	<ul style="list-style-type: none"> <li>• Finances</li> <li>• Internal SMEs</li> </ul>	Ongoing through FY23
Sp-2 Goal 2	Train leaders	Additional staff trained	Management team and human resources staff	<ul style="list-style-type: none"> <li>• Executive coach</li> <li>• Trainer</li> </ul>	Ongoing through FY23
Sp-2 Goal 3	Re-engage	More positive feedback and greater retention	All employees led by management team and human resources staff	<ul style="list-style-type: none"> <li>• Employee events</li> <li>• Increased communication</li> </ul>	Ongoing through FY23



**STATE OF DELAWARE**  
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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their career with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
Sp-3 Goal 1	Cross training and knowledge transference	Staff development plans completed and implemented for selected positions	Management team and human resources staff	Finances Internal training	Ongoing through fy
Sp-3 Goal 2	Educate and support hiring supervisors regarding the HRIS system	More independent usage of HRIS system Less errors Less questions of HR	Human resources staff	Considering hiring an analyst	March 31, 2023
Sp-3 Goal 3	More education regarding the hiring process and expected timeframes	Staff trained and working independently	Human resources staff	Internal trainer available	June 30, 2023



Delaware Department of  
Safety and Homeland Security (DSHS)

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FY22 EEO/AA Report and FY23 Action Plan




STATE OF DELAWARE  
DEPARTMENT OF SAFETY AND HOMELAND SECURITY  
OFFICE OF THE SECRETARY  
P.O. BOX 818  
DOVER, DELAWARE 19903-0818  
302-744-2680

The Honorable John Carney  
Governor

The Honorable Nathaniel McQueen, Jr.  
Cabinet Secretary

**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM:  Nathaniel McQueen Jr.  
Cabinet Secretary, Department of Safety & Homeland Security

SUBJECT: Department of Safety & Homeland Security  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

DATE: December 7, 2022


Attached is a copy of the Department of Safety & Homeland Security FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.

If you have any questions, please feel free to contact me at (302) 744-2655 or [nathaniel.mcqueen@delaware.gov](mailto:nathaniel.mcqueen@delaware.gov)

Thank you.

**STATE OF DELAWARE**  
**DEPARTMENT OF SAFETY AND HOMELAND SECURITY (DSHS)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

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### 3. Definitions and Acronyms

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's [protected class](#). Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.
- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need



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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> The process in this **Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Employee and Labor Relations
- **Policy Administrator:** Director of the Division of Employee and Labor Relations
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, I.e., the law or regulation and this policy, the law and/or regulation govern.*

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

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The mission of the Department of Safety and Homeland Security (DSHS) is to “*promote and protect the safety of people and property in Delaware.*”

The Department is comprised of the Office of the Secretary, the [Delaware State Police](#), the [Office of Highway Safety](#), the [Division of Communications](#), the [Delaware Emergency Management Agency](#), the [Capitol Police](#), the [Division of Forensic Science](#), the [Division of Gaming Enforcement](#), the [Division of Alcohol and Tobacco Enforcement](#), the [Developmental Disabilities Council](#), and the [State Council for Persons with Disabilities](#). Each of the divisions plays an integral role in achieving our mission. In addition, DSHS also works closely with first responders, various members of our public safety community, and public/private sector partners to provide for the safety of our citizens.

Retaining, recruiting, and hiring a diverse qualified workforce is one of the Department’s most significant challenges. The Department is losing experienced employees who retire or accept higher-paying job offers with private sector companies. Another hurdle in the recruitment process is attracting qualified applicants. Often postings for vacant positions result in only a few qualified applicants and an even smaller number of applicants who accept invitations to interview. This has resulted in longer vacancies and multiple or extended postings for a position.

When our Division of Communications (DivComm) faced this challenge, the Department worked to establish a new Electronics Systems training program through Polytech Adult Education. This program provides a pathway for new radio installers to acquire the skills needed in exchange for a two-year commitment to work for DivComm. Anyone failing to honor their commitment must repay the education costs. For FY23, the Department worked with the Department of Human Resources (DHR) to offer cash incentives to retain DivComm employees and recruit new employees. DivComm staff supports our public safety community, by maintaining the State’s 800 MHz system and more than 7,000 communication devices utilized by first responders.

In other divisions, DSHS is working with DHR and OMB to reclassify positions to ensure proper compensation to retain current employees. Delaware State Police, [Division of Alcohol and Tobacco Enforcement](#), and [Capitol Police](#) also face challenges with hiring qualified diverse applicants resulting in repeated job postings. Recently, the DSP New Castle County 911 Telecommunication Specialists were temporarily relocated to the Kent County 911 office due to the staff shortage, and Sussex County employees are commuting as needed. This relocation allowed DSP to provide adequate coverage for each shift without impacting service to residents.

DSHS continues to have leadership meetings to address staffing shortages and departmental needs. In the next year, meeting this challenge will take a multi-prong approach with creative solutions. This will include reviewing an increasing number of requests for hybrid work schedules. Following COVID, our staff returned to a more traditional work setting at the office. However, several divisions permit staff to work remotely a few days a week or as needed. As private sector companies offer more opportunities to work from home, DSHS expects more job applicants will seek similar offers.



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**DEPARTMENT SUMMARY**

Names of Divisions	# of Employees
Office of the Secretary	16
Division of Communications	21
Delaware Emergency Management Agency (DEMA)	39
Office of Highway Safety	7
State Council for Persons with Disabilities	2
Division of Gaming Enforcement	7
Division of Forensic Science	54
Capitol Police	85
Developmental Disabilities Council	5
Division of Alcohol and Tobacco Enforcement	16
Office of Alcoholic Beverage Control Commissioner	5
<b>TOTALS</b>	<b>254</b>

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## **Responsibilities for Implementation**

### **RESPONSIBILITIES STATEMENT**

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The Secretary of Safety and Homeland Security oversees the implementation of the Department's Affirmative Action Plan to ensure that it is implemented promptly and effectively. Human Resource Manager, Ursula Dickerson, (302) 744-2686, implements the Affirmative Action Plan and ensures that managers comply with federal and state laws, regulations, and executive orders.

#### **EEO/AA Officer/HR Lead:**

Ursula Dickerson, Human Resources Manager is designated as the EEO/AA Officer, (302) 744-2686, Ursula Dickerson@delaware.gov.

To ensure compliance with the EEO/AA Plan Requirements, the Department is guided by federal and state laws, regulations, and executive orders as stated in Appendix B - List of Laws, attached.

As stated in the Respectful Workplace and Anti-Discrimination Policy, "all employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur" and immediately report experienced harassment, discrimination or alleged violation of the Respectful Workplace and Anti-Discrimination Policy.

#### **Cabinet Secretary:**

The DSHS Cabinet Secretary retains final and ultimate responsibility for the implementation of the Department EEO/AA Plan and other subsequent diversity initiatives. The Affirmative Action Officer, Division Directors, Managers, and Agency HR are, at the Cabinet Secretary's direction, responsible for taking the necessary steps to appropriately deal with issues of underutilization, under-representation, discrimination, harassment and retaliation within the Department of Safety and Homeland Security. Under the direction of Secretary Nathaniel McQueen Jr., manager and supervisor performance evaluations measure their success in executing the EEO/AA plan.

#### **Equal Employment Opportunity Officer:**

A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an Agency:

- Administers and maintains the EEO/AA Policy and Plan. DHR shall designate an employee to serve as the Agency's EEO Officer.
- Drafts, implements, monitors, evaluates, and distributes the EEO/AA Policy and Plan.
- Serves as the official liaison with relevant State organizations and groups, including but not limited to, the State Human Rights Commission, the Office of the Coordinator of the Americans with Disabilities Act, and the State Personnel Affirmative Action Office.
- Works with appropriate agency personnel to ensure that the Department selection, appointment, and discipline processes are based on job-relatedness and are free of artificial barriers and discriminatory practices.

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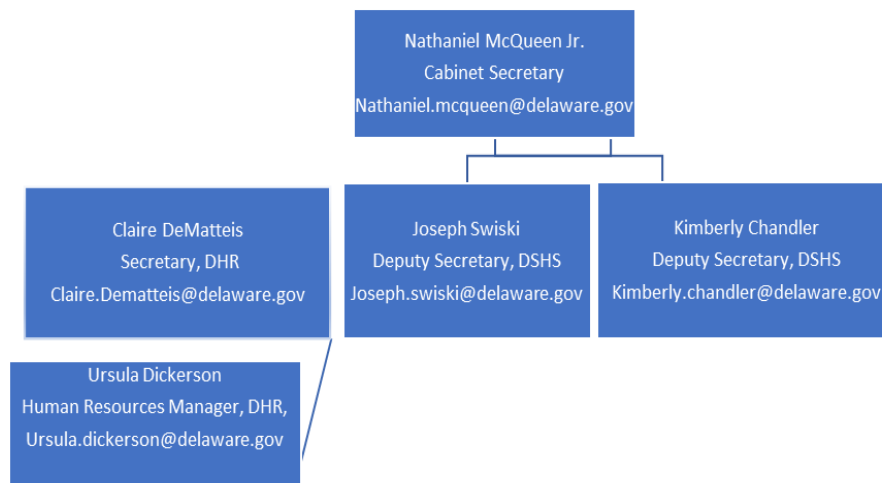
- Directs and/or coordinates Agency HR in the complaint process. Makes recommendations to the Cabinet Secretary regarding disposition and resolution of complaints, must notify in writing the ER section of DHR of complaints.
- Works with the Cabinet Secretary, Division Directors, Policy Advisor, and Agency HR to identify tools, training, and processes that provide employees with opportunities for career advancement and enrichment.
- Promotes affirmative action and diversity initiatives and provides technical guidance to the Cabinet Secretary, Division Directors, and Agency HR regarding related issues.
- Provides statistical data to assess progress in achieving objectives of the Plan and other diversity initiatives.

**Human Resources Lead:**

- Embraces and affirms continued commitment and support of the Department's equal employment opportunity, affirmative action, and diversity initiatives through the work of the human resources function.
- Reviews human resources policies and practices to identify inconsistencies or barriers to the goals of achieving and maintaining a workforce that reflects the diversity of the State of Delaware
- Ensures that the EEO/AA efforts are reflected in performance evaluations for all employees with management and supervisory responsibilities.
- Monitors employment, promotion, and discipline practices within the Department to ensure they are free of artificial barriers and discriminatory practices.
- Works with State Personnel Office, Agency EEO Officer, Division Directors, and Agency HR to ensure that applicant pools and certification lists reflect accepted standards of diversity.

**Agency Human Resource Professionals:**

- Responsible for the implementation and maintenance of the Plan and other diversity initiatives through daily human resources support.
- Work with Hiring Managers and Supervisors to ensure selection and promotion processes are free of artificial barriers and discriminatory practices.
- Promote and support the concept of diversity as an essential tool to reach agency goals.
- Counsel and assist employees in identifying career advancement and enrichment opportunities.



**STATE OF DELAWARE**  
**DEPARTMENT OF SAFETY AND HOMELAND SECURITY (DSHS)**  
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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

**Office of the Secretary (OSEC):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Workplace Environment/Climate	Fostering a workplace environment free of discrimination and harassment.	Executive Staff and Supervisors	Facilitate trainings and mentoring opportunities.	Ongoing

**Division of Communication (DIVCOMM):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	The Division will continue to solicit applicants through outreach to surrounding schools such as Delaware Technical Community College, Delaware State University, Polytech, and others.	The number of applicants that have applied from the respective trade schools.	Deputy Director will continue to make and maintain contact with the school.	Contact was made informing them of open positions. Open house opportunities were made available to showcase our work.	Ongoing

**Delaware Emergency Management Agency (DEMA):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Floor layout updates for greater coordination.	The project was completed in June.	Management, IT, and Logistics Team	All updates completed.	Completed

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**DEPARTMENT OF SAFETY AND HOMELAND SECURITY (DSHS)**  
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**Office of Highway Safety (OHS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Workplace Environment/Climate	Fostering a workplace environment without discrimination and without harassment. Promoting a work environment where everyone feels comfortable and respected.	All employees	Training, mentoring, correction if needed, and discipline if needed.	Ongoing – The expectation is that the Division will continually strive for this. Through team building, discussions, and training, the Division is promoting a workplace environment where all employees feel respected, valued, treated fairly and are provided the tools they need to be successful.

**Developmental Disabilities Council (DDC):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Actively recruit/promote staff of diverse racial and geographic backgrounds.	Status of promotion	Kristin Harvey, Executive Director	Reclassification to change an Admin Specialist I to a Community Resource Officer, a promotion.	Staff is stable at this time and no anticipated openings are on the horizon. This objective is closed for the moment.
SP-1 Goal 2	Actively recruit/promote staff members who either have a disability or have direct knowledge of a disability.	The number of staff who wished to disclose they have a disability. Being a disabilities Council, representation on the staff of those we serve is important.	Kristin Harvey, Executive Director	-Environmental scan to determine if staff wished to be identified as a person with a disability -3 out of 4 staff identify as having a disability.	Staff is stable at this time and no anticipated openings are on the horizon. This objective is closed for the moment.

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**DEPARTMENT OF SAFETY AND HOMELAND SECURITY (DSHS)**  
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**Division of Forensic Science (DFS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Continue to maintain a healthy work environment	There is an online survey for customer satisfaction that can also be used by employees. Survey results have yielded no areas of concern. Additionally, no areas of concern were shared in Unit Meetings or Managers' Meetings.	John Evans, Director. Melissa Newell, Deputy Director. Johna Esposito, Quality Assurance Manager.	Held bi-weekly Manager Meetings and monthly Unit Meetings as an avenue for employees to share concerns. Also created a Safety Committee consisting of a diverse representation of the workforce to report any safety concerns in the work environment.	The steps taken described are ongoing and will continue into FY23.

**Capitol Police (DCP):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Obtain Commission on Accreditation for Law Enforcement Agencies (CALEA) Award. CALEA is an established set of nationally recognized Standards demonstrating best practices in the law enforcement profession. By obtaining CALEA Status, an agency is providing the best workplace environment, climate, and culture in the police profession.	Regular interaction with the DCP Accreditation Manager on the implementation of policies incorporating CALEA Standards.	The DCP Accreditation Manager and DCP Command Staff who prepared and reviewed DCP Policies to ensure compliance with CALEA Standards.	Each CALEA Standard was reviewed and compared with the existing DCP Policy. Any policies requiring changes were amended to become CALEA compliant, and then all policies were distributed to DCP personnel. This occurred monthly throughout FY22.	In March of 2022 CALEA Staff members reviewed all applicable DCP policies and found them compliant with CALEA requirements. In July of 2022, the DCP Chief and DCP Accreditation Manager are scheduled to attend the CALEA Conference in Chicago, IL, for a review hearing. If successful, the DCP will be awarded CALEA Status.

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**DEPARTMENT OF SAFETY AND HOMELAND SECURITY (DSHS)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**Alcohol and Tobacco Enforcement (DATE):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Staffing – filling current vacancies with both sworn and civilian positions.	Increased advertisement, working with DATE agent union and with DHR on salary increases and/or other incentives to boost recruiting efforts,	DATE and DHR.	General funds budget, possible future grant opportunities from outside parties.	Currently working towards this effort.
SP-1 Goal 2	Increase diversity of DATE sworn and civilian staff.	Meeting diversity goals has historically been a challenge at DATE. We have had some success with this in 2022 and look to continue the same in 2023.	DATE management and supervisory staff	N/A	December 2022

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**DEPARTMENT OF SAFETY AND HOMELAND SECURITY (DSHS)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**

**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

**Office of the Secretary (OSEC):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Increase & improve supervisory and management training.	Two staff members completed the State Continuous Improvement Program and received certification.	Executive Staff	Provided support and leave needed to complete the course.	Continuing to recruit and direct staff to training opportunities

**Delaware Emergency Management Agency (DEMA):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Inconsistency with Pay	Lower attrition, higher satisfaction	Leadership team	Multiple reclassifications have been submitted.	2 have been approved over the last year. 6 are still pending.

**Office of Highway Safety (OHS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Increased accountability for supervisors and managers.	Completed training by supervisors and managers; employee observations and lack of complaints	Managers and supervisors	Training, mentoring, correction if needed, and discipline if needed.	On-going – supervisors and managers are accountable every day to prevent behavior that violates the respectful workplace and anti-discrimination policy.



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**DEPARTMENT OF SAFETY AND HOMELAND SECURITY (DSHS)**  
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**Developmental Disabilities Council (DDC):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Empower Executive Director (ED) to lead a diverse group of staff and Council members to accomplish the goals and objectives established in the DDC's state plan	ED feels confident in her ability to lead the Council and staff.	ED, DSHS HR, DSHS Fiscal, DDC travel determination group, Cabinet Secretary	-Training through statewide training on leadership and development -Approval for travel requests for ED to travel to out-of-state training opportunities	Ongoing
SP-2 Goal 2	Ensure effective oversight of the Executive Director, including clear role definitions between volunteer Council members and DSHS/HR state employees who possess the ability to review the ED as a fellow state employee using the required HR forms.	All parties are clear regarding their roles and responsibilities and act accordingly.  ED can identify areas of strength to continue to amplify, and weaknesses to continue to improve.	ED, DSHS HR, DDC Personnel Committee, Cabinet Secretary	Time for annual review and meeting with ED and all parties to conduct the ED's evaluation.	Ongoing

**Division of Gaming Enforcement (DGE):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Development of a Career Ladder or Investigator III.	Program Development	Investigative Supervisor and Director  DHR	TBD	October 3, 2022
SP-2 Goal 2	Develop a Level III Investigator; DGE has no current Career Ladder for Advancement.	Development of career ladder or Level III Investigator.	Investigative Supervisor; Director	TBD	TBD

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**DEPARTMENT OF SAFETY AND HOMELAND SECURITY (DSHS)**  
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**Division of Forensic Science (DFS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	To continue maintaining a healthy team of Supervisors & Managers.	Any areas of concern shared during bi-weekly meetings were addressed/resolved in a timely manner or an action plan was identified.	John Evans, Director Melissa Newell, Deputy Director Johna Esposito, Quality Assurance Manager Ashely Wang, Lab Manager Amrita Lal-Paterson, Lab Manager Jessica Smith, Lab Manager Dr. Gary Collins, Chief Medical Examiner.	Bi-weekly meetings between leadership and management to share relevant, timely information, new state directives, internal staffing status, monthly productivity stats, operational matters.	The steps taken described are ongoing and will continue into FY23.

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**Capitol Police (DCP):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Provide leadership and management training for DCP personnel through recognized training classes.	As leadership and management classes became available, the DCP Command Staff would post the opportunity to DCP personnel and solicit interest in attending the class. A candidate would be selected from interested personnel, who would then attend the class.	The DCP Command Staff was responsible for identifying and distributing opportunities for the training as it became available.	Once a course was identified, DCP personnel were made aware and provided an opportunity to request the class. Once a candidate is selected, they attend and complete the training.	During FY22, five DCP personnel completed leadership and management training through the NJ Chiefs of Police Command and Leadership School and the Delaware State Police Leadership and Development Training courses.

**Alcohol and Tobacco Enforcement (DATE):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Increase & improve supervisory and management training.	Major Jones attended the DHR CIP course and received his CIP certification in 2022.	DATE management staff	Allocated training funds from DATE budget and other resources.	End of FY24

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

**Office of the Secretary (OSEC):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Improve recruitment and retention.	Obtaining position upgrades and salary increases.	Leadership and DHR	Review make-up of interview panels, explore salary limits/options, determine why staff leave.	Ongoing

**Division of Communication (DIVCOMM):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Increase the number of qualified and diverse applicants for the position of Communications System Tech.	Working with local trade schools to promote the diversity of the division.	Deputy Director will continue to make and maintain contact with the school.	Contact was made informing them of open positions. Open house opportunities.	Ongoing
SP-3 Goal 2	Increase the effectiveness of recruiting efforts.	Attending job fairs.	Deputy Director will assign employees to attend as available.	Job Fair was attended.	Ongoing

**Delaware Emergency Management Agency (DEMA):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Improve recruitment and retention.	TBD	Leadership and DHR	Expanded internship program, robust interview panels, review because people leave (professional development, satisfaction, etc.).	TBD

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**Office of Highway Safety (OHS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Recruitment and Retention	A diverse, inclusive, and equitable work environment that encourages retention of the workforce.	Supervisors, Managers, and HR	Trying to acquire more full-time merit positions to encourage retention.	Ongoing – OHS currently has the request for three full-time merit positions with OMB clearinghouse for grant-funded positions. A previous request through the state budget process for a full-time Management Analyst II was denied.

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**Developmental Disabilities Council (DDC):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Ensure that DDC staff are aware of training opportunities for professional development both through the state and from our national networks.	Staff reports feeling that they have growth opportunities and are appreciated and valued.	DDC staff, ED, DSHS HR, DSHS Fiscal, DDC travel determination group, Cabinet Secretary	Training on professional development is offered to ED through the State.  Travel requests for professional development training are approved.	Ongoing
SP-3 Goal 2	Continue to foster an encouraging, welcoming environment that respects staff members of all genders, races, gender identities, geographic locations, and skill levels.	One-on-one meetings with staff members weekly to discuss questions, concerns, and goals for their professional future.	Kristin Harvey, Executive Director	-Continued training on inclusion and diversity, and how to be an effective leader.	Ongoing
SP-3 Goal 3	Implement a standardized employee recognition program that will provide either an event or gift once a year to improve employee job satisfaction and retention.	Agreement in place with the State of Delaware to fund employee recognition efforts using state funds. Our federal funds which make up the majority of our funding, are not permitted to be used for gifts/recognition. Simultaneously, the State of Delaware requires employee recognition gifts or events at least once per year. The Executive Director has been paying for these items/activities out of her own pocket.	Kristin Harvey, Executive Director	State funding for annual DDC employee recognition.	By June 30, 2023, hope to reach an agreement with DSHS to provide state funding for DDC employee recognition events/activities in accordance with all applicable laws and rules.

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**Division of Gaming Enforcement (DGE):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Develop a Level III Investigator; DGE has no current Career Ladder for Advancement.	Development of career ladder or Level III investigator.	Investigative Supervisor; Director	DHR	October 3, 2022

**Division of Forensic Science (DFS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	To recruit, hire and retain a qualified and diverse workforce.	There were several successful new hires in various positions within the Division, however, several challenges in recruitment continue and vacancies remain.	DHR, OMB, Class & Comp Melissa Newell, DFS Hiring Manager John Evans, Director	Reclassify several positions in an effort to increase the applicant pool and/or advance the relevant pay grade.	Ongoing

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**Capitol Police (DCP):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Increase the effectiveness of recruiting efforts, and increase the number of qualified and diverse applicants for the position of police officer.	The DCP Recruitment Team kept the DCP Command Staff up to date with recruiting activities and results. The DCP Chief also maintained liaison with DSHS Human Resource personnel to stay current with DCP applicants to determine what if any action was needed to improve recruiting efforts.	All DCP personnel are responsible for recruiting, including the Chief. The DCP Recruiting Team is specifically tasked with attending job fairs, recruiting events, etc., and provides feedback as to the results of such efforts.	The DCP Recruiting Team created a Recruitment Plan in August of 2021 to formalize and coordinate recruiting efforts. The DCP Chief also made a change to the DCP Recruitment Policy to allow for the hiring of out-of-state certified police officers, thus increasing the size of the DCP applicant pool.	In January 2022 the DCP hired five new police officers, four of whom were minority candidates. The recruits will attend police academies and graduate in August/September of 2022. Recruitment of state-certified, out-of-state officers continues, with none hired in FY22.

**Division of Alcohol and Tobacco Enforcement (DATE):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Recruit, hire, and retain the most qualified staff.	Reduce employee turnover and fill vacancies in a timelier manner.	DHR, DFS Hiring Manager, DFS Interview Panels	DHR, Class & Comp, OMB, LiUNA Union Contract, Job Descriptions	Effective immediately



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**SECTION IV: WORKFORCE ANALYSIS**

**DSHS Overview:**

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The Department of Safety and Homeland Security (DSHS) is underrepresented for minorities in four EEO-4 categories. DSHS has 254 employees and minorities represent 26% of the DSHS workforce, a 1% increase from FY21.

Below are observable trends that affect DSHS's opportunity to increase diversity in its workforce:

- DSHS is underrepresented for minorities, especially in Paraprofessionals (34%) and Service Maintenance (45%.) but they only have 4 positions in each category. They should look for a diverse applicant pool when these become vacant.
- DSHS has a diverse pipeline of applicants with 45% minority and 50% female applicants.
- DSHS has hard-to-fill positions in six EEO-4 categories. These include classifications in Capitol Police, Forensics, and Alcohol and Tobacco Enforcement.
- DSHS has 10% of its workforce eligible for retirement and the largest numbers are in Division of Alcohol and Tobacco Enforcement (17%), Capitol Police (13%), and Office of the Secretary (20%). As many of these positions are law enforcement/public safety, these divisions must find ways to attract a diverse applicant pool to the jobs. Employment for Capitol Police and Alcohol and Tobacco Enforcement require a State of Delaware Council on Police Training Certificate, which further reduces the applicant pool.
- The Division of Forensics Science must stay competitive as they are hiring Analytical Chemists and Laboratory Managers, both of which are in high demand at other state agencies and within the private sector. DSHS should partner with Delaware State University to offer internships to students in these fields.
- DSHS's small workforce results in limited opportunities to increase diversity.

In summary, DSHS must work to attract a diverse applicant pool to their jobs as they get vacancies, but many of their retirement-eligible and high turnover positions are in law enforcement/public safety and STEM positions. Partnering with Delaware universities and the Delaware Pathways Program to offer internship/job shadowing opportunities could help expose students to their work. DSHS should continue to evaluate the roles of supervisors and managers in meeting their responsibilities related to EEO/AA and ensure managers are offered continuing education in areas of leadership and supervision to make the working environment inclusive and keep employees engaged. The Department's workforce planning, and subsequent recruitment efforts should be broad in scope but focus on positions with high retirement eligibility and turnover such as Capitol Police, Forensics, and Alcohol and Tobacco Enforcement.

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## **DSHS Demographics at a Glance:**

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The total number of DSHS employees as of June 30, 2022, by EEO-4 category is 254.

The DSHS EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DSHS workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DSHS workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DSHS does not hire in the Skilled Craft EEO-4 category.

The following summary of findings were derived from this data:

### **Minority Representation:**

- Minorities represent 26% of the total DSHS workforce, a 1% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-3%)
  - Professionals (-15%)
  - Technicians (-6%)
  - Protective services (-3%)
  - Paraprofessionals (-34%)
  - Service Maintenance (-45%)

### **Female Representation:**

- Females represent 36% of the total DSHS workforce, the same as in FY21.
- Females are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-10%)
  - Professionals (-1%)
  - Technicians (-36%)
  - Service Maintenance (-9%)

### **Male Representation:**

- Males represent 64% of the DSHS workforce, the same as in FY21.
- Males are under-represented in the following EEO-4 categories:
  - Paraprofessionals (-23%)
  - Office & Clerical (-22%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	11	4	0	0	0	0	0	15	65%	1	7	1	0	0	0	0	0	8	35%	0	23	5	22%
2 Professionals	28	4	0	0	0	0	1	33	42%	5	39	2	0	3	0	0	1	45	58%	1	78	11	14%
3 Technicians	12	5	0	0	0	0	2	19	86%	5	3	0	0	0	0	0	0	3	14%	0	22	7	32%
4 Protective Services	58	23	7	1	0	0	1	90	83%	5	13	4	1	0	0	0	0	18	17%	0	108	37	34%
5 Para Professional	0	0	0	0	0	0	0	0	0%	0	4	0	0	0	0	0	0	4	100%	0	4	0	0%
6 Office & Clerical	2	0	0	0	0	0	0	2	13%	0	8	2	1	0	0	1	1	13	87%	2	15	5	33%
7 Skilled Craft	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
8 Service Maintenance	3	0	0	0	0	0	0	3	75%	1	1	0	0	0	0	0	0	1	25%	0	4	0	0%
<b>Totals</b>	<b>114</b>	<b>36</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>162</b>	<b>64%</b>	<b>17</b>	<b>75</b>	<b>9</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>92</b>	<b>36%</b>	<b>3</b>	<b>254</b>	<b>65</b>	<b>26%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	22%	-3%	22%	0%	0%	0%	0%	0%
2 Professionals	29%	14%	-15%	8%	0%	4%	0%	0%	3%
3 Technicians	38%	32%	-6%	23%	0%	0%	0%	0%	9%
4 Protective Services	37%	34%	-3%	25%	7%	1%	0%	0%	1%
5 Para Professional	34%	0%	-34%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	31%	33%	2%	13%	7%	0%	0%	7%	7%
7 Skilled Craft	26%	0%	NA	0%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	0%	-45%	0%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	35%	-10%	30%	4%	0%	0%	0%	0%	0%
2 Professionals	59%	58%	-1%	50%	3%	0%	4%	0%	0%	1%
3 Technicians	50%	14%	-36%	14%	0%	0%	0%	0%	0%	0%
4 Protective Services	19%	17%	-3%	12%	4%	1%	0%	0%	0%	0%
5 Para Professional	77%	100%	23%	100%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	65%	87%	22%	53%	13%	7%	0%	0%	7%	7%
7 Skilled Craft	6%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	25%	-19%	25%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	65%	10%	48%	17%	0%	0%	0%	0%	0%
2 Professionals	41%	42%	1%	36%	5%	0%	0%	0%	0%	1%
3 Technicians	50%	86%	36%	55%	23%	0%	0%	0%	0%	9%
4 Protective Services	81%	83%	3%	54%	21%	6%	1%	0%	0%	1%
5 Para Professional	23%	0%	-23%	0%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	13%	-22%	13%	0%	0%	0%	0%	0%	0%
7 Skilled Craft	94%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	75%	19%	75%	0%	0%	0%	0%	0%	0%

**Tables 2, 3, and 4** illustrate the variance between the Regional Labor Market and Agency demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

*Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.*

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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	-1%	1%	-3%
2 Professionals	-8%	-15%	-15%
3 Technicians	7%	-6%	-6%
4 Protective Services	2%	-6%	-3%
5 Paraprofessional	-33%	-34%	-34%
6 Office & Clerical	5%	10%	2%
7 Skilled Craft	N/A	N/A	0%
8 Service Maintenance	-42%	-45%	-45%

**Female Representation Trends FY20, 21, 22**

**Table 6**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	-15%	-10%	-10%
2 Professionals	4%	1%	-1%
3 Technicians	-39%	-40%	-36%
4 Protective Services	-9%	-1%	-3%
5 Paraprofessional	-34%	-27%	23%
6 Office & Clerical	23%	17%	22%
7 Skilled Craft	N/A	N/A	0%
8 Service Maintenance	-20%	-19%	-19%

**Male Representation Trends FY20, 21, 22**

**Table 7**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	15%	10%	10%
2 Professionals	-4%	-1%	1%
3 Technicians	39%	40%	36%
4 Protective Services	9%	1%	3%
5 Paraprofessional	34%	27%	-23%
6 Office & Clerical	-23%	-17%	-22%
7 Skilled Craft	N/A	N/A	0%
8 Service Maintenance	20%	19%	19%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

**Table 8**

<b>Complaint Summary</b>					
	<b>FY21</b>		<b>FY22</b>		<b>% Change</b>
	<b>Total</b>	<b>%</b>	<b>Total</b>	<b>%</b>	
Total Informal Complaints Received	0	N/A	0	N/A	N/A
Total Informal Complaints Resolved Internally	0	N/A	0	N/A	N/A
Total Formal Complaints Received	6	100%	4	100%	40%
Total Formal Complaints Resolved	6	100%	3	75%	50%
Total External Complaints Received	2	100%	1	25%	50%
Total External Complaints Resolved	1	50%	1	25%	0%

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

*Table 8 data were obtained from agency internal records during FY22.*

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	1	13%	0	0%	-100%
Total Female Minority Disciplines	1	13%	0	0%	-100%
Total Male Non-Minority Disciplines	4	50%	0	0%	-100%
Total Male Minority Disciplines	2	25%	4	100%	50%
<b>Total Disciplines</b>	<b>8</b>	<b>100%</b>	<b>4</b>	<b>100%</b>	<b>-50%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	7	47%	11	31%	36%
Total Female Minority Separations	0	0%	2	6%	100%
Total Male Non-Minority Separations	4	27%	16	46%	75%
Total Male Minority Separations	4	27%	6	17%	33%
<b>Total Separations</b>	<b>15</b>	<b>100%</b>	<b>35</b>	<b>100%</b>	<b>57%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	2	29%	18	42%	89%
Total Female Minority New Hires	0	0%	3	7%	100%
Total Male Non-Minority New Hires	4	57%	15	35%	73%
Total Male Minority New Hires	1	14%	7	16%	86%
<b>Total New Hires</b>	<b>7</b>	<b>100%</b>	<b>43</b>	<b>100%</b>	<b>84%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	7	30%	16	40%	56%
Total Female Minority Promotions	1	4%	3	8%	67%
Total Male Non-Minority Promotions	11	48%	15	38%	27%
Total Male Minority Promotions	4	17%	6	15%	33%
<b>Total Promotions</b>	<b>23</b>	<b>100%</b>	<b>40</b>	<b>100%</b>	<b>43%</b>

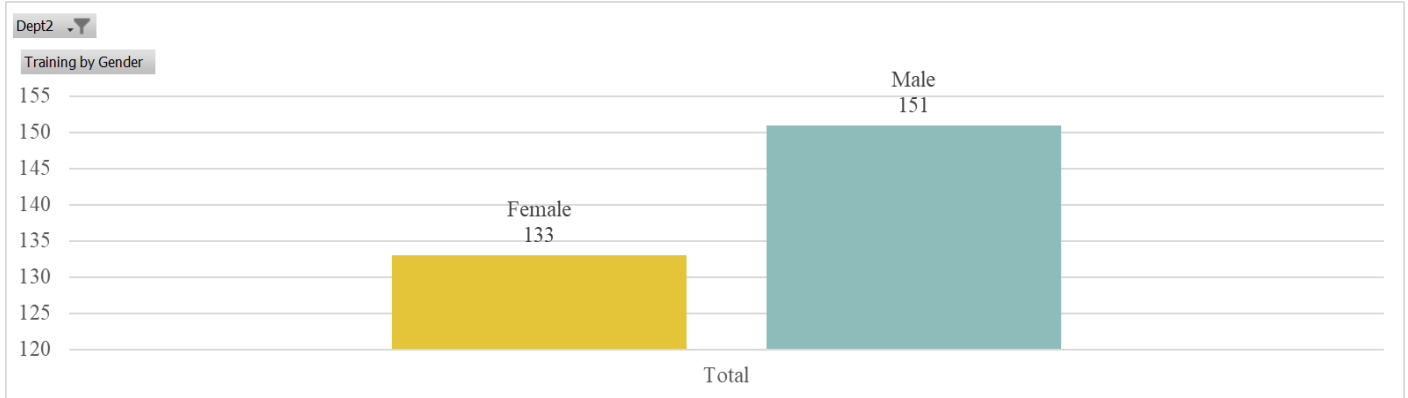
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

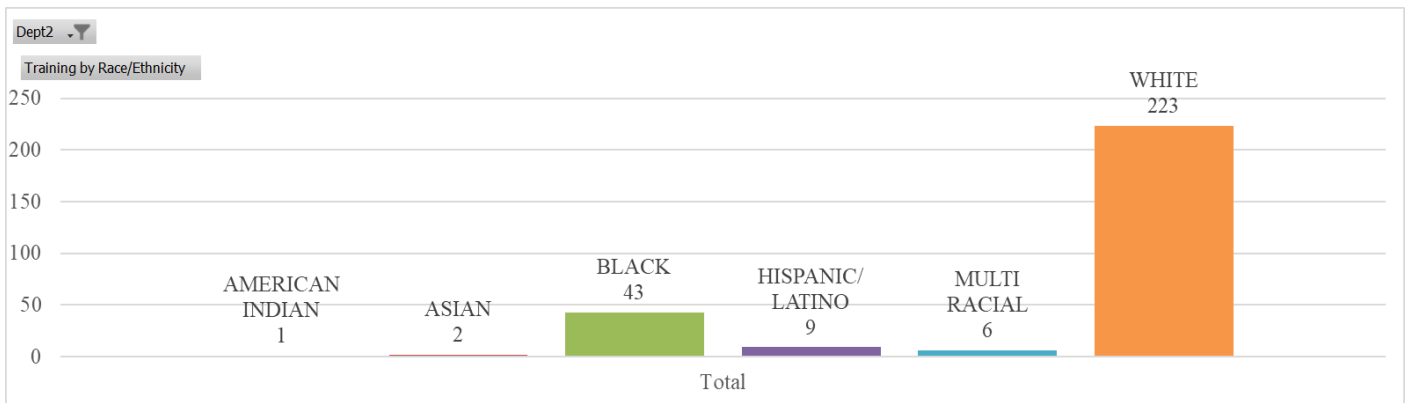
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**SECTION VII: EMPLOYEE ENGAGEMENT**

**Figure 10 Training by Gender**

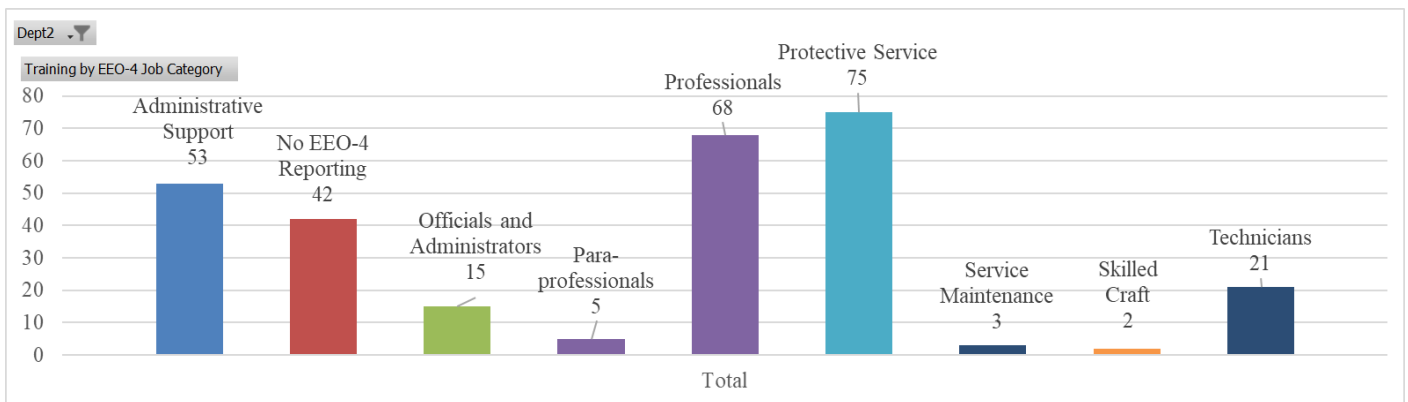


**Figure 11 Training by Race/Ethnicity**



**Training by EEO-4 Job Category**

**Figure 12**



**Figures 10-12** display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

*Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.*



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**Table 13**

**DSHS Tuition Reimbursement data is not currently available.**

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**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed Disabled	20
Total Requests for Accomodations	N/A
Total Requests Accomodated	N/A
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

---

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

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**Table 15**

EXIT SURVEY SUMMARY						
	EXCELLENT	GOOD	AVERAGE	BELOW	POOR	TOTAL
Agency as a place to work	38%	40%	14%	7%	0%	100%
	16	17	6	3	0	42
Opportunity for advancement or promotion	12%	27%	17%	22%	22%	100%
	5	11	7	9	9	41
Recognition of accomplishments/contributions	17%	33%	24%	12%	14%	100%
	7	14	10	5	6	42
Relationships with co-workers	46%	32%	15%	7%	0%	100%
	19	13	6	3	0	41
Relationship with your manager/supervisor	45%	36%	7%	5%	7%	100%
	19	15	3	2	3	42
Agency commitment to quality and customer service	5%	26%	24%	5%	0%	60%
	19	11	10	2	0	42
Work area tools available to perform the functions of your job	24%	29%	29%	14%	5%	100%
	10	12	12	6	2	42
Performance goals were clear and you knew what was expected of you in your job	36%	26%	24%	5%	10%	100%
	15	11	10	2	4	42
Training and development needs were assessed and met	38%	19%	14%	14%	14%	100%
	16	8	6	6	6	42
Benefits package	49%	32%	12%	0%	7%	100%
	20	13	5	0	3	41
Compensation	29%	14%	10%	26%	21%	100%
	12	6	4	11	9	42
Family-Friendly Workplace	34%	37%	12%	7%	10%	100%
	14	15	5	3	4	41

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

<b>HARD-TO-FILL VACANCIES</b>							
<b>Vacancies (as of 6/30/21)</b>	<b>Vacancies (as of 6/30/22)</b>	<b>Job Code</b>	<b>Job Title</b>	<b>Total # Positions</b>	<b>Vacancy Rate FY 21</b>	<b>Vacancy Rate FY 22</b>	<b>% change FY22 vs FY21</b>
12	2	MBBA03	Alcohol Tobacco Enforcement Agent III	13	92%	15%	-83%
1	0	MBBB03	Capitol Police Officer II	1	100%	0%	-100%
1	1	MBBB04	Capitol Police Officer III	51	2%	2%	0%
0	1	MBBB05	Capitol Police Sergeant	9	0%	11%	100%
0	1	MBBB06	Capitol Police Lieutenant	3	0%	33%	100%
1	1	MBBB07	Capitol Police Major	2	50%	50%	0%
0	0	MDEZ01	Assistant Medical Examiner	3	0%	0%	0%
0	0	MFEA06	Planning Supervisor	3	0%	0%	0%
0	1	MGBA07	Analytical Chemist I	2	0%	50%	100%
0	0	MGBA08	Analytical Chemist II	4	0%	0%	0%
0	2	MGBA09	Analytical Chemist III	11	0%	18%	100%
0	0	MGBB05	Laboratory Manager I	5	0%	0%	0%
0	0	MGBB06	Laboratory Manager II	3	0%	0%	0%
0	0	MGBD01	Forensic DNA Analyst	1	0%	0%	0%
0	5	MGBD02	Senior Forensic DNA Analyst	5	0%	100%	100%

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**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MBBA03	Alcohol Tobacco Enforcement Agent III	3	18	6	9	3
MBBB03	Capitol Police Officer II	1	14	14	7	7
MBBB04	Capitol Police Officer III	2	35	18	5	3
MBBB05	Capitol Police Sergeant	1	8	8	8	8
MBBB06	Capitol Police Lieutenant	2	17	9	8	4
MBBB07	Capitol Police Major	2	18	9	17	9
MDEZ01	Assistant Medical Examiner	1	1	1	1	1
MFEA06	Planning Supervisor	1	24	24	8	8
MGBA07	Analytical Chemist I	1	16	16	14	14
MGBA08	Analytical Chemist II	1	16	16	13	13
MGBA09	Analytical Chemist III	N/A				
MGBB05	Laboratory Manager I	1	8	8	8	8
MGBB06	Laboratory Manager II	N/A				
MGBD01	Forensic DNA Analyst	N/A				
MGBD02	Senior Forensic DNA Analyst	N/A				

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 18**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
450101100	DSHS/Office o/t Secretary/Administration	15%	14%	-1%
450120300	DSHS/ Office o/t Secretary /Communication	20%	30%	10%
450130400	DSHS/ Office o/t Secretary /DE Emer. Mgt	3%	19%	16%
450140500	DSHS/ Office o/t Secretary /Highway Safety	0%	14%	14%
450150100	DSHS/Sec/Dev Dis Council	0%	0%	0%
450160100	DSHS/Sec/Persons w/ Disabilities	0%	0%	0%
450170100	DSHS/Division of Gaming Enforcement	0%	0%	0%
450180100	DSHS/Division of Forensic Science	9%	21%	12%
450210100	DSHS/Capitol Police	6%	7%	1%
450310100	DSHS/Alcoholic Beverage Control	0%	0%	0%
450410100	DSHS/Alcohol and Tobacco Enforcement (DATE)	13%	0%	-13%
<b>Department Average</b>		<b>6%</b>	<b>10%</b>	<b>4%</b>

**Table 19**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MBBA03	Alcohol Tobacco Enforcement Agent III	9%	0%	-9%
MBBB03	Capitol Police Officer II	0%	0%	0%
MBBB04	Capitol Police Officer III	2%	4%	2%
MBBB05	Capitol Police Sergeant	0%	12%	12%
MBBB06	Capitol Police Lieutenant	0%	29%	29%
MBBB07	Capitol Police Major	67%	0%	-67%
MDEZ01	Assistant Medical Examiner	0%	33%	33%
MFEA06	Planning Supervisor	0%	25%	25%
MGBA07	Analytical Chemist I	0%	0%	0%
MGBA08	Analytical Chemist II	0%	18%	18%
MGBA09	Analytical Chemist III	12%	24%	12%
MGBB05	Laboratory Manager I	0%	0%	0%
MGBB06	Laboratory Manager II	0%	0%	0%
MGBD01	Forensic DNA Analyst	0%	0%	0%
MGBD02	Senior Forensic DNA Analyst	0%	0%	0%

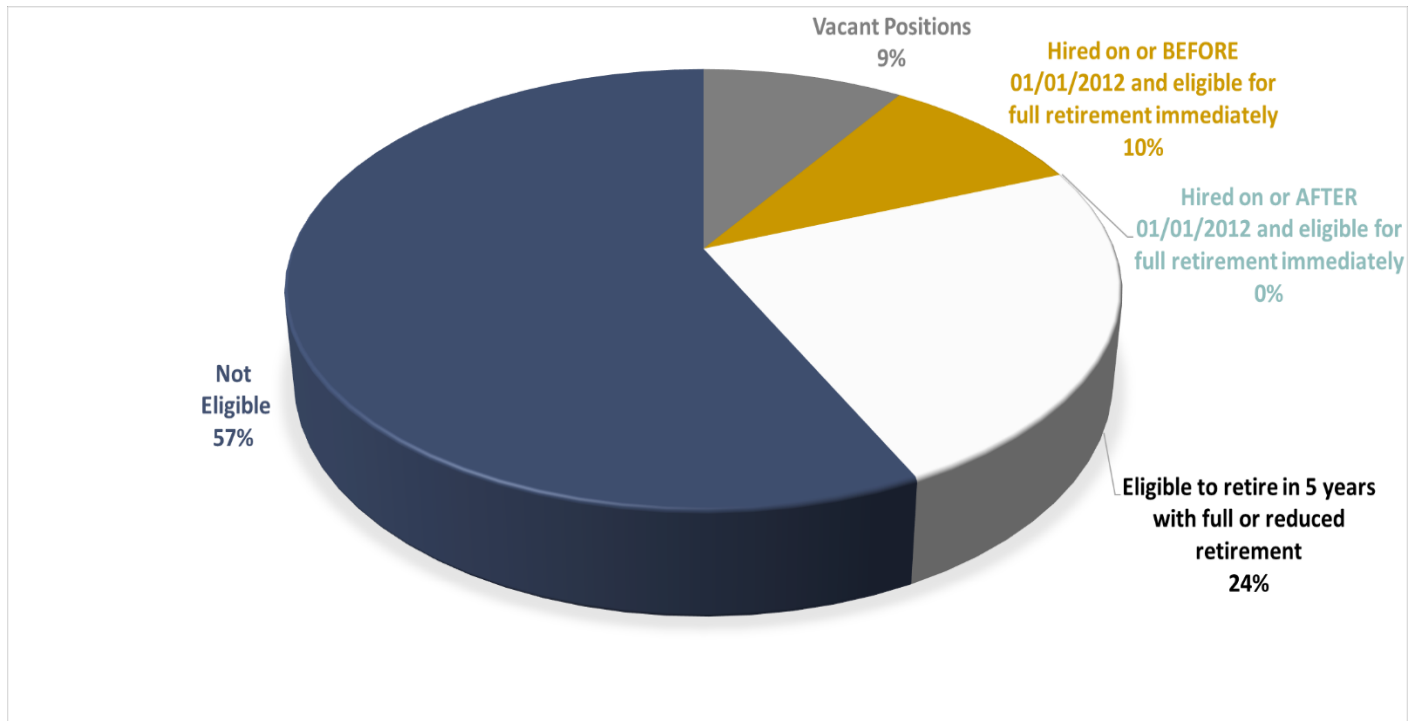
**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

*Figure 20 data were obtained from the PHRST system as of 06/30/2022.*

Retirement Eligible Criteria: \*\*

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

**Department of Safety and Homeland Security:** Per H.B. 363, DSHS Capital Police Officers and Division of Alcohol and Tobacco Enforcement agents are fully eligible to retire after 25 years of credited state service.

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>Forensic Science</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
61	54	7	2	0	7	45
<b>Gaming Enforcement</b>						
7	7	0	1	0	2	4
<b>Alcohol and Tobacco Enforcement</b>						
18	16	2	0	0	4	12
<b>Administration</b>						
16	15	1	1	0	4	10
<b>Alcoholic Beverage Control Commission</b>						
5	5	0	0	0	2	3
<b>Highway Safety</b>						
7	7	0	0	0	2	5
<b>Delaware Emergency Management</b>						
42	39	3	8	0	6	25
<b>Communications</b>						
26	21	5	4	0	6	11
<b>Delevmental Disabilities Council</b>						
6	5	1	1	0	1	3
<b>Capitol Police</b>						
92	85	7	10	0	33	42
<b>Department of Safety and Homeland Security Totals</b>						
280	254	26	27	0	67	160

**Table 21** illustrates the total number and percentage of positions by division based on their retirement eligibility status.

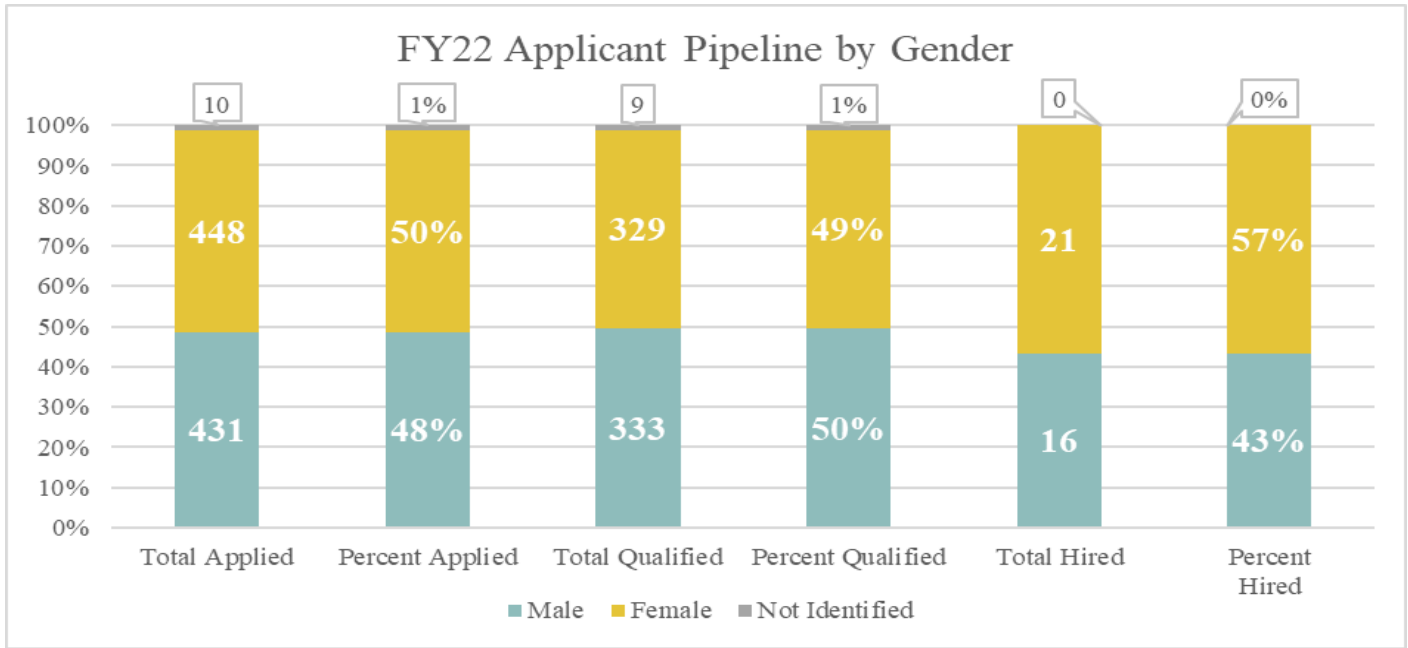
Table 21 data were obtained from the PHRST system as of 06/30/2022.

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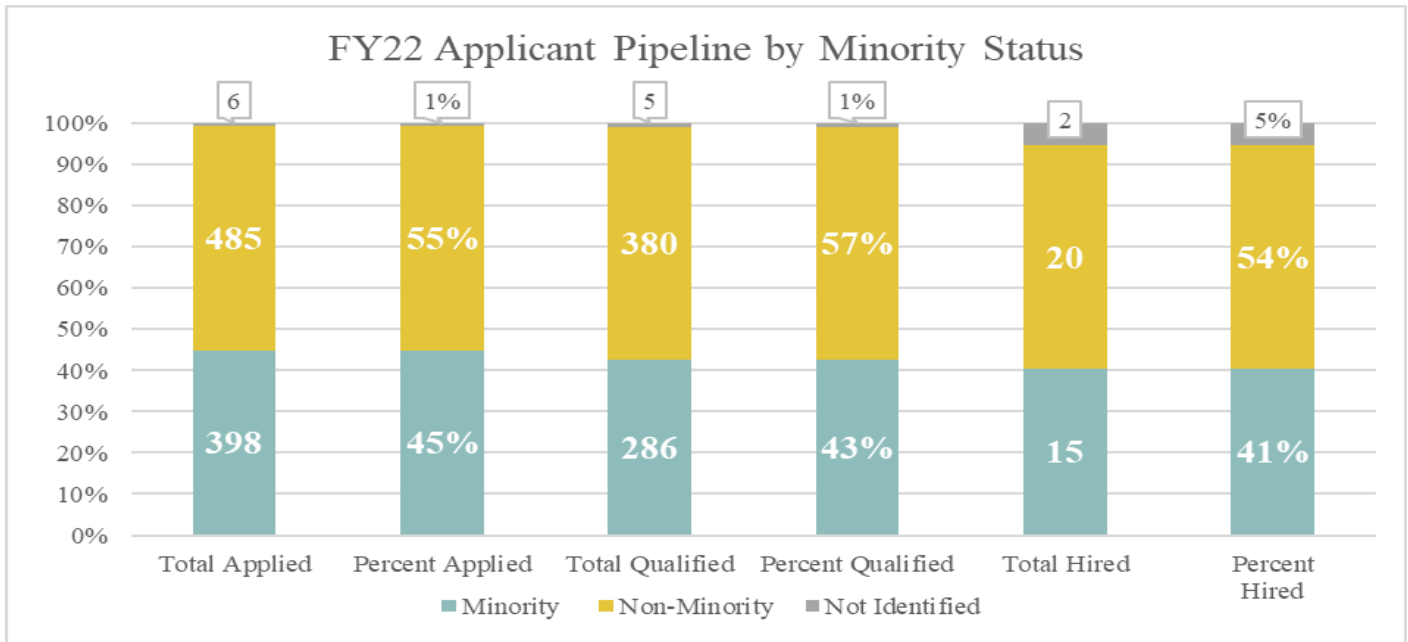
**Applicant Pipeline**

In FY22, 889 people applied online to DSHS jobs, an 18% decrease from FY21 in which 1,082 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*



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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	74	47
FY22	79	28
Change FY21 vs FY22	5	-19

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	2	11
FY22	4	23
Change FY21 vs FY22	2	12

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

**Delaware Emergency Management Agency (DEMA):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Currently, we have multiple generations as employees, need to address differences.	Hold the generational differences course again.	Training	DHR Diversity and Inclusion Training and Strategic Initiatives.	By June, 2023

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition. \*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

**Office of Highway Safety (OHS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Each manager and supervisor is responsible for fostering a workplace environment free of discrimination and harassment and to promote a safe and respectful work environment. As new personnel fill management positions, it is vital to ensure that they understand their responsibilities and that they hold themselves and employees accountable for their actions.	Through the education of supervisors and enforcement of policies, the Division wants to prevent behavior that violates the respectful workplace and anti-discrimination policy.	OHS Management	Training, mentoring, correction if needed, and discipline if needed.	Ongoing

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**Developmental Disabilities Council (DDC):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Continue to foster an encouraging, welcoming environment that respects staff members of all genders, races, gender identities, geographic locations, and skill levels.	One-on-one meetings with staff members weekly to discuss questions, concerns, and goals for their professional future.	Kristin Harvey, Executive Director	Continued training on inclusion and diversity, and how to be an effective leader.	Ongoing
SP-2 Goal 1	Implement a standardized employee recognition program that will provide either an event or gift once a year to improve employee job satisfaction and retention.	Agreement in place with the State of Delaware to fund employee recognition efforts using state funds. Our federal funds which make up the majority of our funding, are not permitted to be used for gifts/recognition. Simultaneously, the State of Delaware requires employee recognition gifts or events at least once per year. The Executive Director has been paying for these items/activities out of her own pocket.	Kristin Harvey, Executive Director	State funding for annual DDC employee recognition.	By June 30, 2023, hope to reach an agreement with DSHS to provide state funding for DDC employee recognition events/activities in accordance with all applicable laws and rules.

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**Division of Forensic Science (DFS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Continue to maintain a healthy, diverse, equitable, and inclusive work environment.	Monitor survey results, customer feedback, feedback from monthly unit meetings, and bi-weekly Leadership meetings.	John Evans, Director. Melissa Newell, Deputy Director. Johna Esposito, Quality Assurance Manager.	DHR, Class & Comp, LiUNA Union, Merit Rules	Effective immediately

**Capitol Police (DCP):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Increase the effectiveness of recruiting efforts, improving the number of qualified and diverse applicants for the position of police officer. The desired outcome is to improve the recruitment of minority and underrepresented police officer candidates.	The DCP Recruitment Team will keep the DCP Command Staff up to date with recruiting activities and results. The DCP Chief will also maintain liaison with DSHS Human Resources personnel to stay current with DCP applicants to determine what if any action is needed to improve recruiting efforts.	All DCP personnel are responsible for recruiting, including the Chief. The DCP Recruiting Team is specifically tasked with attending job fairs, recruiting events, etc., and provides feedback as to the results of such efforts. By including all DCP personnel in our recruiting the desired outcome is improved retention as a result of being part of an agency-wide effort.	There will be a cost to attend recruiting events such as job fairs, as well as for recruiting promotion materials. There is \$10,000.00 in the budget for FY23 for this purpose.	Recruiting efforts are daily throughout the year. There is no beginning or end to these efforts.

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**Developmental Disabilities Council (DDC):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Ensure effective oversight of the Executive Director (ED), including clear role definitions between volunteer Council members and DSHS/HR state employees who possess the ability to review the ED as a fellow state employee using the required HR forms.	All parties are clear regarding their roles and responsibilities and act accordingly.  ED can identify areas of strength to continue to amplify, and weaknesses to continue to improve.	ED, DSHS HR, DDC Personnel Committee, Cabinet Secretary	Time for annual review and meeting with ED and all parties to conduct the ED's evaluation	Ongoing

**Division of Gaming Enforcement (DGE):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Development of a Career Ladder or Investigator III	Program Development	Investigative Supervisor and Director	DHR	October 3, 2022

**Division of Forensic Science (DFS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Continue to maintain a healthy, diverse, equitable, and inclusive work environment	Monitor survey results, customer feedback, feedback from monthly unit meetings, and bi-weekly Leadership meetings	John Evans, Director. Melissa Newell, Deputy Director. Johna Esposito, Quality Assurance Manager.	DHR, Class & Comp, LiUNA Union, Merit Rules	Effective immediately

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**Capitol Police:**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Provide management and supervisory effectiveness training for DCP personnel. Providing such training will provide DCP personnel with promotion potential and will thus assist with retention. Management and supervisory training provided to underrepresented personnel will provide greater promotion potential to minority candidates, and present leadership roles for minorities which will assist in minority recruitment.	As management and supervisory classes become available the DCP Command Staff will post the opportunity to DCP personnel and solicit their interest in attending the class. The number of officers selected and completing the training would be maintained by the DCP Command Staff.	The DCP Command Staff will be responsible for identifying and distributing opportunities for the training as it becomes available. They will then select a candidate to attend the training from those who apply for the opportunity.	The cost of tuition for the NJ Chiefs of Police Command and Leadership School is \$1,000.00. The Delaware State Police Leadership Program is free of charge. If the DCP sends 3-5 personnel to the NJ Program the cost would be approximately \$3,000.00-\$5,000.00 per year.	The target date is throughout the fiscal year as the classes become available. They are not on any set schedule.

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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

**Office of Highway Safety (OHS)**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	The Division relies on DHR staff for recruitment. We have had significant turnover within the Division over the past three years. We are a relatively small division with 12 total employees. We have 1 full-time merit exempt position, 5 full-time merit positions, 5 casual/seasonal positions, and 1 contractual position. Turnover has been significant in casual/seasonal and contractual positions. Many of these employees have stayed less than a year and moved on to full-time merit positions where they have benefits including paid sick/vacation and health insurance. It takes time to hire new personnel and train them which puts more pressure and work on the remaining employees when there is a vacancy causing them to feel overwhelmed and frustrated.	A diverse, inclusive, and equitable work environment that encourages retention of the workforce. Employees in casual/seasonal and contractual positions, are often doing the same work as the full-time merit positions, but do not receive the benefits that full-time merit employees receive. This does not make the work environment feel fair and equitable to all employees. Employees leaving have reported that they very much value the work environment of the Division but need to have a position that provides benefits. The desired outcome would be to have more full-time merit positions that encourage retention.	OHS Management	The ability to have more full-time merit positions that may encourage retention.	Ongoing



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**Developmental Disabilities Council (DDC):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Empower the Executive Director (ED) to lead a diverse group of staff and Council members to accomplish the goals and objectives established in the DDC's state plan.	ED feels confident in her ability to lead the Council and staff.	ED, DSHS HR, DSHS Fiscal, DDC travel determination group, Cabinet Secretary	Training through statewide training on leadership and development.  Approval for travel requests for ED to travel to out-of-state training opportunities.	Ongoing
SP-3 Goal 2	Ensure that DDC staff are aware of training opportunities for professional development both through the state and from our national networks.	Staff reports feeling that they have growth opportunities and are appreciated and valued.	DDC staff, ED, DSHS HR, DSHS Fiscal, DDC travel determination group, Cabinet Secretary	Training on professional development is offered to ED through the State.  Travel requests for professional development training are approved.	Ongoing

**Division of Gaming Enforcement (DGE):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Development of a Career Ladder for Investigator III	Program Development	Investigative Supervisor and Director	DHR	October 3, 2022

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**Division of Forensic Science (DFS):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Promote and foster professional growth at all levels.	Monitor the number of professional development and leadership training attended by the DFS staff.	DFS Leadership & Management	Delaware Learning Center Delaware State Police Leadership Development Program Training funded through General Funds and Grant Funds	Effective Immediately

**Capitol Police (DCP):**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Providing applicable in-service training to all DCP personnel to achieve professional development, education, and awareness. In providing training in ethics and bias policing, DCP personnel will be well versed in these topics, which will assist them in recruiting efforts for new police officers, including underrepresented minority officers, as well as improving the retention of existing officers.	The DCP Training Officer will schedule mandatory in-service training for all DCP personnel as required by the Commission on the Accreditation for Law Enforcement (CALEA). The training officer will schedule the instructors and identify a location for the training to be held. The Training officer will also maintain records of who completed the training.	The DCP Training officer will be responsible for scheduling and proctoring the mandatory in-service training.	There will be no cost for this training. A state facility will be used to conduct the training, and the instructors will be either DCP personnel or other law enforcement professionals from other departments free of charge.	The training will be scheduled for January 2023. This will provide for minimal impact on staffing as compared to the spring, summer and fall time frames when many more DCP personnel are on vacation.



## Delaware State Police (DSP)

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### FY22 EEO/AA Report and FY23 Action Plan

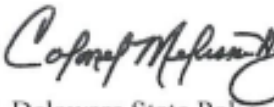
Fiscal Year 2022



STATE OF DELAWARE  
DEPARTMENT OF SAFETY AND HOMELAND SECURITY  
**DIVISION OF STATE POLICE**  
P.O. Box 430  
DOVER, DELAWARE 19903

**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: Colonel Melissa A. Zebley  
Superintendent of the Delaware State Police 

SUBJECT: Department of Safety & Homeland Security, Delaware State Police  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

DATE: December 9, 2022

Attached is a copy of the Department of Safety & Homeland Security, Delaware State Police FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.

If you have any questions, please feel free to contact me at [Melissa.Zebley@delaware.gov](mailto:Melissa.Zebley@delaware.gov).

Thank you.

Enclosures

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**Respectful Workplace and Anti-Discrimination Policy**

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees must work and learn in a safe, respectful and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Each manager and supervisor is responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension or termination of employment.

**2. Scope**

This policy applies to all employees, and includes unpaid interns, joint employees and apprentices, and includes workplace conduct by individuals not directly connected to the State (e.g., outside vendors, consultants, customers or constituents).

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings and business-related social events.

The terms of this policy supersede any statewide or related Executive Branch Agency policy and procedure.



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**3. Definitions**

- **Complainant:** A person who makes a complaint and begins the complaint process.
  
- **Discrimination:** Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
  
- **Equal Employment Opportunity (EEO) Officer:** A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an Agency.
  
- **Harassment:** Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive. The behavior need not be intentional in order to be considered harassment.
  
- **Investigation Findings:** Complaint investigations will result in one of the following conclusions: substantiated or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
  
- **Protected Class:** Protected classes under this policy are a person's race, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable state and/or federal laws.
  
- **Respondent:** The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
  
- **Retaliation:** An act of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or state or federal anti-discrimination laws.
  
- **Sexual Harassment:** Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or

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rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

#### **4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable state and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

##### **a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

##### **b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes comments that are offensive or unwelcome regarding a person's membership in a protected class, including jokes, slurs and negative stereotyping.
  
- **Nonverbal harassment** includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or

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disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons and other nonverbal conduct.

**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment;
- Is used as a basis for an employment decision; and/or
- Unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.



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**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's EEO Officer.

**5. Complaint Procedures**

An employee may obtain information from her/his Supervisor, her/his Agency's Human Resources (HR) representative, Agency EEO officer, or an Employee Relations (ER) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible in light of the need to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on the individual's employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender her/his objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender, or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> This process shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL) or Equal Employment Opportunity Commission (EEOC)). Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved and the wishes of the Complainant will be protected to as great a degree as is possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterwards, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

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The Employee Assistance Program (EAP) provides confidential counseling services to State employees who are enrolled in one of the State's health plans covered. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure- DSP Specific**

An employee who believes s/he has been discriminated against, harassed or subjected to retaliation on any basis set forth in this policy should utilize the following procedures:

Promptly report the incident and details related to the complaint to the Delaware State Police Human Resource Director, the Office of Professional Responsibility, their Troop Commander or Section Chief, their supervisor, or any individual designated by the department to receive such reports.

Under no circumstances is the individual alleging workplace discrimination, harassment or retaliation required to file a complaint with the alleged harasser.

Any supervisor or manager receiving a complaint must notify the Human Resources Director or other individual that has been designated by the department to receive such complaints within one (1) business day of receipt of the complaint.

Supervisory personnel who allow workplace discrimination, harassment or retaliation to continue or fail to take appropriate action upon learning of such conduct will be subject to corrective action. Such corrective action includes, but is not limited to, mandatory training or disciplinary action consistent with DSP sworn and civilian policies and procedures.

The Office of Professional Responsibility or designee shall conduct a neutral and thorough investigation of reported workplace discrimination complaints. All employees are required to cooperate with administrative investigations. Failure to cooperate in an administrative investigation may result in disciplinary action, up to and including termination of employment.

Objectives of the investigation include whether the complaint can be substantiated on the basis of facts, recommending appropriate action and suggestions for preventing future occurrences.

The relevant parties will be informed if the complaint has been substantiated or unsubstantiated. If the complaint is substantiated, the Delaware State Police will take appropriate action

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recommended by the Deputy Superintendent.

If substantiated, corrective action may include, but is not limited to, mandatory participation in counseling, training, and disciplinary action. Disciplinary action(s) shall be processed in accordance with Delaware State Police policies and procedures.

**6. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgement of receipt within thirty (30) Business days of its effective date.
- 2) This policy shall be posted at each State facility and available in electronic format.
- 3) The DDOL Sexual Harassment Notice (Appendix B) shall be distributed, physically or electronically, to all new employees at the commencement of employment and to existing employees by July 1, 2019.<sup>3</sup>
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all new employees training on this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.
- 2) The State shall provide all existing non-supervisory employees training on this policy and procedures by December 31, 2019 and thereafter every two (2) years.
- 3) The State shall provide all new supervisors (newly hired and promoted) supervisory training on this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.
- 4) The State shall provide all existing supervisors supervisory training on this policy and procedures by December 31, 2019 and thereafter every two (2) years.

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**7. Data Reporting**

All agencies are required to:

- Keep records of complaints of harassment; and
- Track and report annually to DHR discrimination and harassment complaints, with sexual harassment complaints tracked separately.

**8. Associated Policy/Regulations/Information**

- a. The procedures under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a target of discrimination or harassment under state or federal law.
- b. Making a complaint pursuant to this policy will not extend the time frames, prescribed by statute, by which any person must file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a CBA, if applicable, or any court or regulatory body.
- c. The deadline for filing a charge with the DDOL or the EEOC under state and federal laws is three hundred (300) days from the date of the alleged discriminatory action.

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**FREQUENTLY ASKED QUESTIONS**  
**RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION**  
**POLICY**

**1. What is the purpose of the Respectful Workplace and Anti-Discrimination Policy?**

The State of Delaware (State) wants to create and maintain a work environment where persons are treated with dignity, decency and respect. It is of utmost importance that this goal be achieved as part of the mission of the State. The State will not tolerate any illegal discrimination or harassment. Through the education of employees and enforcement of this policy, the State wants to prevent, correct and discipline behavior that violates this policy.

**2. How does the Respectful Workplace and Anti-Discrimination Policy apply to me?**

This policy covers all employees, and for this policy includes unpaid interns, joint employees, and apprentices of Executive Branch Agencies. It also includes individuals not directly connected to the State (e.g., outside vendors, consultants, customers or constituents). All covered employees, regardless of their positions, are required to comply with this policy. Supervisors are expected to take appropriate measures to ensure that prohibited conduct does not occur. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside of the workplace, including business trips, business meetings, and business-related social events.

**3. What is considered discrimination under this policy?**

According to this policy, illegal discrimination is the biased or prejudiced treatment of individuals, based on their membership in a protected class.

**4. What is considered harassment under this policy?**

Harassment is the unwelcome conduct that is based on an individual's protected class. Harassment becomes illegal when: 1) bearing the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or persistent enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive.

**5. What is considered sexual harassment under this policy?**

Sexual harassment is characterized by unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature: 1) when having to accept the conduct is a condition of an employee's employment; 2) when accepting or rejecting this conduct is used for employment decisions affecting the employee; or 3) when this conduct has the purpose or effect of

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unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**6. What may be considered retaliation?**

An employment act by an Agency representative (employer) that is meant to punish an employee or individual because s/he filed a complaint under this policy or under state or federal anti-discrimination laws may be considered retaliation.

**7. What are the protected classes?**

Protected classes under this policy are a person's race, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable state and/or federal laws.

**8. What are my rights under this policy?**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible in light of the need to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have a negative (adverse) effect on the employee or individual's employment status. An employee who receives unwelcome conduct from another individual may attempt to communicate her/his concern of the conduct to the other individual whenever possible. If the employee is not comfortable addressing the conduct with the other individual or if that has occurred and the conduct continues, employees are encouraged to report incidents of harassment as soon as possible.

**9. What if my agency has a similar policy; which one should I follow?**

The terms of this policy override any statewide or related Executive Branch Agency policy and procedure.

**10. Whom can I contact for more information?**

If you need further assistance, talk to either your supervisor, manager, agency Equal Employment Opportunity (EEO) officer, or Agency Human Resources (HR) representative about your concerns. You may also contact Employee Relations at (866) 462-8411.

**11. How do I file a complaint?**

The State has the following procedure for filing a complaint of harassment, sexual harassment, discrimination or retaliation. The State will treat all aspects of the procedure confidentially to the extent possible. Reporting of complaints as soon as possible is encouraged, so that a response and appropriate action may be taken as soon as possible.

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An employee (Complainant) who believes s/he has been harassed, discriminated or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:

- Supervisor
- Manager
- Agency's Equal Employment Opportunity Officer
- Agency's Human Resources representative
- Employee Relations section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

**12. How soon after I experience harassment, discrimination or alleged violation of this policy must I report?**

You should report immediately to any of the above named individuals. You are encouraged to discuss with your Agency HR.

**13. What is the State of Delaware's position as an employer?**

The State of Delaware will not accept illegal discrimination or harassment of any kind. All Executive Branch Agency employees, regardless of their positions, are covered by, and are expected to follow this policy, and to take appropriate measures to ensure that unacceptable conduct does not occur. All allegations of discrimination or harassment will be considered and responded to appropriately, quickly, fairly and confidentially. Appropriate disciplinary action will be taken towards any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension or termination of employment.

**14. What is the responsibility of a manager or supervisor?**

Each supervisor and manager is responsible for promoting a workplace environment without discrimination and without harassment. Managers and supervisors are expected to set an example by role-modeling respectful behavior, and holding employees responsible to do the same. If a supervisor or manager becomes aware of possible harassment or discrimination, from witnessing the conduct, as a result of a Complainant's coming forward or by another individual's report, the supervisor or manager shall discuss the concern or incident with the employee and attempt to resolve the matter in consultation with Agency HR. Supervisors and managers are expected to immediately manage situations brought to their attention in an appropriate fashion, regardless of whether there has been a formal complaint filed.

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**15. Who is my EEO Officer?**

This information is posted on the DHR website under the Division of Diversity and Inclusion, the Division of Personnel Management. (<https://dhr.delaware.gov/diversity/documents/eeo-contacts.pdf>)

**16. If I file a complaint, will it remain confidential?**

During the complaint process and afterwards, the confidentiality of the information received, the privacy of the individuals involved and the wishes of the Complainant will be kept confidential to as great a degree as is possible. The wishes of the Complainant for confidentiality will be considered within the State's legal responsibility to act on complaints of discrimination, harassment or retaliation, and the State's responsibility to conduct a fair and thorough investigation. During the investigation all parties, including witnesses, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

**17. Will my employment be affected if I file a complaint?**

Filing a complaint in good faith will not be used against the employee or have a negative (adverse) impact on the individual's employment status.

**18. Will filing a complaint give me more time to file a grievance on the same issue?**

Filing a harassment complaint pursuant to this policy will not automatically extend the time frames when an employee may file a formal complaint through the Merit Rules, the Department of Labor Office of Anti-Discrimination, the U.S. Equal Employment Opportunity Commission (EEOC), a Collective Bargaining Agreement, if applicable, or any court or regulatory body.

**19. How long will the investigation take?**

The time for an investigation to be completed will vary on how much evidence needs to be gathered and how quickly it can be done.

**20. If I file a complaint, how will I know what is happening?**

The person assigned to investigate your harassment complaint will keep you informed of the progress of the investigation. Action may be taken temporarily to assist with a current situation.

**21. What if I am not happy with the outcome of the investigation?**

If you are not satisfied with the outcome of an investigation, you may file a discrimination charge with the Delaware Department of Labor Office of Anti-Discrimination or the U.S. Equal Employment Opportunity Commission.



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**22. I want to file a discrimination and/or harassment complaint externally. How do I do that?**

Delaware Department of Labor Office of Anti-Discrimination outlines their process on [how to file a charge](#).

The U.S. Equal Employment Opportunity Commission outlines their process on [how to file a charge](#).

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

---

The Delaware State Police (DSP) is a division of the Department of Safety and Homeland Security (DSHS). The State Police currently reports separately through the Secretary of Safety and Homeland Security and is a non-merit employer. The Division of State Police employs 731 sworn members and 222 civilians. In addition, DSP employs 46 casual/seasonal employees. Due to the uniqueness of the Division of State Police, a separate Affirmative Action Plan is prepared.

The mission of the Delaware State Police is to provide the citizens and visitors of the State of Delaware with professional and compassionate police service in a fair and objective manner. The Division's success in achieving this goal is dependent upon a harmonious relationship with the community it serves. The Division of State Police acknowledges and celebrates the importance of diversity in achieving its overall mission.

The Division of State Police continues to work toward increasing minority and female representation within its workforce. This is accomplished through continual proactive recruitment strategies such as:

- Sending community leaders an annual letter from the Superintendent to announce employment opportunities that may be of interest to their groups.
- Establishing and maintaining Trooper Youth Programs in each county throughout the state for high school students potentially interested in a career in law enforcement.
- Annually providing Trooper Youth Week at the DSP Training Academy free of charge. Camp Barnes summer camp for children in Delaware free of charge.
- Facilitating college internships and using those internships to mentor college students toward future employment.
- Maintaining a Cadet Program, for college students interested in law enforcement careers.
- Providing ride-along opportunities for applicants to experience "a day in the life" of a trooper.
- Utilizing photos in advertisements to clearly represent diversity among the current personnel.
- Publicizing on the Division's recruiting webpage and on social media platforms, including information about recruiting missions to increase our accessibility.
- Attending job fairs at colleges and universities with an emphasis on historically black colleges and universities (HBCUs).
- Providing dialog through classroom presentations at high school and collegiate criminal justice classes.
- Providing qualified instructors to the Law Enforcement Option (LEO) program in partnership with DTCC.
- Recruiting at returning veteran events and at job fairs on military bases.
- Staffing each recruiting event with at least one minority, when staffing permits, to clearly demonstrate the diversity of our work group.
- Guiding and encouraging casual/seasonal employees to pursue full-time positions, as well as assisting civilian employees who are interested in pursuing sworn employment.
- Mentoring conditionally hired candidates before employment and during training.
- Meeting with unsuccessful candidates to recommend strategies for improving future candidacy
- Civilian applicant liaison/recruiter reaches out to applicants and interested candidates on upcoming testing and communicates throughout the applicant process.
- Community outreach

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**DEPARTMENT SUMMARY**

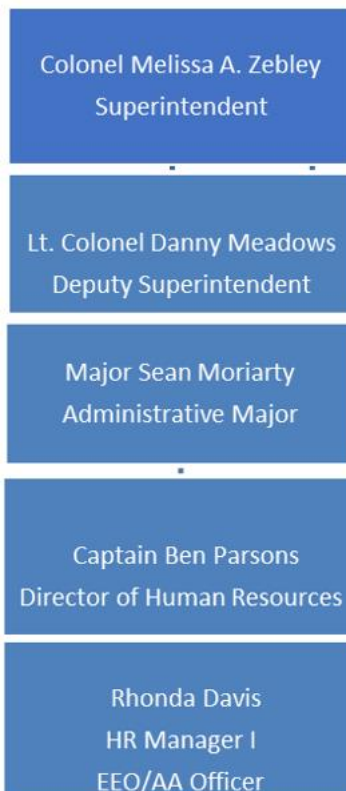
Names of Divisions	# of Employees
Sworn	731
Civilian	222
<b>TOTAL</b>	<b>953</b>

**Responsibilities for Implementation**

**RESPONSIBILITIES STATEMENT**

The Secretary of Safety & Homeland Security oversees the implementation of the Department’s Affirmative Action Plan to ensure that it is implemented promptly and effectively. The HR Manager I, Rhonda Davis, 302-672-5469, Rhonda.davis@delaware.gov implements the Affirmative Action Plan and ensures that managers comply with federal and state laws, regulations, and executive orders. The Affirmative Action Officer’s duties and responsibilities include:

- Prepare the Division’s Affirmative Action Plan and distribute to all sections/troops.
- Develop and assist with plan of action to identify and correct those EEO categories that are under-represented.
- Guide and assist the Executive Staff, Managers and Supervisors on any EEO related issues.
- Work directly with DHR Labor Relations on any EEO related complaints.
- Train incoming recruits on the Respectful Workplace and Anti-Discrimination Policy.
- Member of the Statewide Diversity Committee and HR leads.



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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Continue providing an environment free of any issues. To make employees aware of our Respectful workplace and anti-discrimination policy as well as reporting procedures.	Meaningful learning opportunity for all sworn members at in-service training. Attendees will learn how implicit biases can have positive and negative effects on your behavior, your decision-making, your interpersonal communication skills, and your investigations. Participants will also explore methods to assist in identifying and recognizing implicit biases, while also creating methods, policies, and procedures to mitigate negative effects.	DSP Training Academy	Implicit Bias training presented by former FBI trainer and founder of 21 <sup>st</sup> Century Learning & Consulting, Mr. Bret Hood.	All sworn officers attended the training during their fall in-service during the dates of 7/26/21 – 8/4/21

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Continue to have a trained supervisory and management staff, who value diversity and inclusion.	All employees are sworn and civilian as part of their performance review process read the State of Delaware Respectful Workplace and Anti-Discrimination Policy.	Manager/Supervisors Human Resources	Supervisors and managers review the state’s Respectful Workplace and Anti-Harassment policy each year with both sworn and civilian employees at their annual performance evaluation. Employee signs and acknowledges with the supervisor.	Yearly basis

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	To increase our representation of both minority and female employees.	Increase in our representation of both minority and female employees from the previous fiscal year.	Human Resources	Continue to recruit focusing on attracting minorities and females. Partner with our civilian 911 union for assistance in recruiting. Continue to focus on social media as a recruiting tool. Continue to emphasize the importance of career development amongst our ranks. Continue to promote the exit survey for feedback and suggestions from separating employees.	In FY22, in addition to the many communities policing events that our officers attend, DSP recruiters attended 15 job fairs; 7 community events; the Hispanic Festival, 2 veteran/military events; 26 college/university career fairs; 8 presentations to college classrooms; and 12 high school events.

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**SECTION IV: WORKFORCE ANALYSIS**

**DSP Overview:**

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The Delaware State Police (DSP) are underrepresented for minorities in all EEO categories. DSP has 950 employees and minorities represent 16% of the DSP workforce, a 2% increase from FY21.

Below are observable trends that affect DSP's opportunity to increase diversity in its workforce:

- Recruitment for all public safety/law enforcement jobs has become increasingly challenging in the last few years due to the influence of social, political, and economic forces. DSP does administer Trooper Youth and Cadet programs to expose diverse groups of students and prospective employees to the field.
- With Local and Federal Law Enforcement agencies facing similar challenges, there is significant competition to hire eligible applicants. There is a national shortage of applicants in the law enforcement arena.
- DSP has prioritized State Trooper recruitments to address staffing while bolstering training and development opportunities to encourage employee development and retention, thus reducing turnover.
- DSP has significant minority and female underrepresentation and must work towards reaching more diverse talent pipelines for all categories, with a particular focus on attracting Minorities to all jobs and Females to jobs outside of the Office & Clerical category.
- DSP should continue to recruit at diverse schools and especially HBCUs to increase diversity in the workforce.
- DSP mandates training for all employees regarding workplace harassment, hostility, and cultural diversity. Furthermore, employees are trained and encouraged to recognize and report any such behavior.
- DSP regularly attends job fairs and recruitment events while adding more representation for high-visibility events in urban centers such as Wilmington and Philadelphia. Many of these events were sponsored by non-profit and government entities, which tends to attract more Minority and Female candidates.

In summary, DSP maintains a positive work environment for both civilian and sworn employees. A renewed focus on recruitment has become necessary to develop new applicant pipelines in response to decreasing applicant pools and earlier retirements. DSP must continue to place focus on increasing diversity by expanding its outreach to schools, groups, and community organizations. These efforts are twofold in attracting more applicants while also improving the overall perception of law enforcement careers to younger generations.



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**FY2022 EEO EEO/AA REPRESENTATION SUMMARY**

**DSP Demographics at a Glance:**

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The total number of DSP employees as of June 30, 2022, by EEO-4 category is 950.

The DSP EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DSP workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DSP workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender.

The following summary of findings were derived from this data:

**Minority Representation:**

- Minorities represent 16% of the total DSP workforce, a 2% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-19%)
  - Professionals (-14%)
  - Technicians (-26%)
  - Protective Services (-19%)
  - Para-Professional (-19%)
  - Office & Clerical (-20%)
  - Skilled Craft (-26%)
  - Service Maintenance (-45%)

**Female Representation:**

- Females represent 25% of the total DSP workforce, a 1% decrease from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-4%)
  - Professionals (-23%)
  - Technicians (-18%)
  - Paraprofessional (-5%)
  - Skilled Craft (-6%)
  - Service Maintenance (-44%)

**Male Representation:**

- Males represent 75% of the DSP workforce, a 1% increase from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Office & Clerical (-32%)

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**EEO-4 Status Report FY 2022  
(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	10	0	0	0	0	0	0	10	59%	1	6	0	0	0	0	0	1	7	41%	0	17	1	6%
2 Professionals	58	6	2	0	0	0	2	68	65%	0	31	3	3	0	0	0	0	37	35%	0	105	16	15%
3 Technicians	96	8	3	2	0	1	1	111	68%	3	48	4	0	0	0	0	0	52	32%	0	163	19	12%
4 Protective Services	410	52	28	6	0	4	4	504	86%	0	69	5	3	2	0	0	1	80	14%	0	584	105	18%
5 Para Professional	2	0	0	0	0	0	0	2	29%	0	4	1	0	0	0	0	0	5	71%	0	7	1	14%
6 Office & Clerical	2	0	0	0	0	0	0	2	3%	0	52	7	0	0	0	0	0	59	97%	1	61	7	11%
7 Skilled Craft	12	0	0	0	0	0	0	12	100%	0	0	0	0	0	0	0	0	0	0.00%	0	12	0	0%
8 Service Maintenance	1	0	0	0	0	0	0	1	100%	0	0	0	0	0	0	0	0	0	0.00%	0	1	0	0%
<b>Totals</b>	<b>591</b>	<b>66</b>	<b>33</b>	<b>8</b>	<b>0</b>	<b>5</b>	<b>7</b>	<b>710</b>	<b>75%</b>	<b>4</b>	<b>210</b>	<b>20</b>	<b>6</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>240</b>	<b>25%</b>	<b>1</b>	<b>950</b>	<b>149</b>	<b>16%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

# STATE OF DELAWARE DELAWARE STATE POLICE (DSP) FY2022 EEO EEO/AA REPRESENTATION SUMMARY

## Minority Labor Market Representation FY2022 (Including Race and Ethnicity)

Table 2

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category						
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial	
1 Officials & Administrators	25%	6%	-19%	0%	0%	0%	0%	0%	0%	6%
2 Professionals	29%	15%	-14%	9%	5%	0%	0%	0%	0%	2%
3 Technicians	38%	12%	-26%	7%	2%	1%	0%	1%	1%	1%
4 Protective Services	37%	18%	-19%	10%	5%	1%	0%	1%	1%	1%
5 Para Professional	34%	14%	-19%	14%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	31%	11%	-20%	11%	0%	0%	0%	0%	0%	0%
7 Skilled Craft	26%	0%	-26%	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	0%	-45%	0%	0%	0%	0%	0%	0%	0%

## Female Labor Market Representation FY2022 (Including Race and Ethnicity)

Table 3

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	41%	-4%	35%	0%	0%	0%	0%	0%	6%
2 Professionals	59%	35%	-23%	30%	3%	3%	0%	0%	0%	0%
3 Technicians	50%	32%	-18%	29%	2%	0%	0%	0%	0%	0%
4 Protective Services	19%	14%	-6%	12%	1%	1%	0%	0%	0%	0%
5 Para Professional	77%	71%	-5%	57%	14%	0%	0%	0%	0%	0%
6 Office & Clerical	65%	97%	32%	85%	11%	0%	0%	0%	0%	0%
7 Skilled Craft	6%	0%	-6%	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	0%	-44%	0%	0%	0%	0%	0%	0%	0%

## Male Labor Market Representation FY2022 (Including Race and Ethnicity)

Table 4

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	59%	4%	59%	0%	0%	0%	0%	0%	0%
2 Professionals	41%	65%	23%	55%	6%	2%	0%	0%	0%	2%
3 Technicians	50%	68%	18%	59%	5%	2%	1%	0%	1%	1%
4 Protective Services	81%	86%	6%	70%	9%	5%	1%	0%	1%	1%
5 Para Professional	23%	29%	5%	29%	0%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	3%	-32%	3%	0%	0%	0%	0%	0%	0%
7 Skilled Craft	94%	100%	6%	100%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	100%	44%	100%	0%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and [AGENCY] demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

**STATE OF DELAWARE  
DELAWARE STATE POLICE (DSP)  
FY2022 EEO EEO/AA REPRESENTATION SUMMARY**

**Minority Representation Trends FY20, 21, 22**

**Table 5**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	-8%	-19%	-19%
2 Professionals	-10%	-17%	-14%
3 Technicians	-16%	-26%	-26%
4 Protective Services	-15%	-21%	-19%
5 Paraprofessional	-8%	-14%	-19%
6 Office & Clerical	-10%	-18%	-20%
7 Skilled Craft	-22%	-26%	-26%
8 Service Maintenance	-42%	-45%	-45%

**Female Representation Trends FY20, 21, 22**

**Table 6**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	-3%	-6%	-4%
2 Professionals	-25%	-25%	-23%
3 Technicians	-18%	-15%	-18%
4 Protective Services	-14%	-5%	-6%
5 Paraprofessional	-9%	-17%	-5%
6 Office & Clerical	30%	31%	32%
7 Skilled Craft	-4%	-6%	-6%
8 Service Maintenance	-45%	-44%	-44%

**Male Representation Trends FY20, 21, 22**

**Table 7**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	3%	6%	4%
2 Professionals	25%	25%	23%
3 Technicians	18%	15%	18%
4 Protective Services	14%	5%	6%
5 Paraprofessional	9%	17%	5%
6 Office & Clerical	-30%	-31%	-32%
7 Skilled Craft	4%	6%	6%
8 Service Maintenance	45%	44%	44%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

**STATE OF DELAWARE**  
**DELAWARE STATE POLICE (DSP)**  
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**SECTION V: COMPLAINTS**

**Table 8**

<b>Complaint Summary</b>					
	<b>FY21</b>		<b>FY22</b>		<b>% Change</b>
	<b>Total</b>	<b>%</b>	<b>Total</b>	<b>%</b>	
Total Informal Complaints Received	0	0%	0	0%	0%
Total Informal Complaints Resolved Internally	0	0%	0	0%	0%
Total Formal Complaints Received	0	0%	0	0%	0%
Total Formal Complaints Resolved	0	0%	0	0%	0%
Total External Complaints Received	1	100%	1	100%	0%
Total External Complaints Resolved	0	0%	1	100%	100%

**Table 8** illustrates the total complaints received and resolved by type of complaint, Informal, Formal, and External. DSP complaint data is confidential.

*Table 8 data were obtained from agency internal records during FY22.*

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**DELAWARE STATE POLICE (DSP)**  
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**SECTION VI: EMPLOYEE ACTIONS (SWORN)**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
The Delaware State Police is covered under the Law Enforcement Officers Bill of Rights (LEOBOR) which restricts the dissemination of discipline data.					
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	8	16%	6	17%	-25%
Total Female Minority Separations	0	0%	2	6%	100%
Total Male Non-Minority Separations	38	76%	21	60%	-45%
Total Male Minority Separations	4	8%	6	17%	33%
<b>Total Separations</b>	<b>50</b>	<b>100%</b>	<b>35</b>	<b>100%</b>	<b>-30%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	9	22%	4	9%	-56%
Total Female Minority New Hires	2	5%	2	5%	0%
Total Male Non-Minority New Hires	22	54%	18	42%	-18%
Total Male Minority New Hires	8	20%	19	44%	58%
<b>Total New Hires</b>	<b>41</b>	<b>100%</b>	<b>43</b>	<b>100%</b>	<b>5%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	16	9%	22	12%	27%
Total Female Minority Promotions	0	0%	0	0%	0%
Total Male Non-Minority Promotions	130	76%	127	68%	-2%
Total Male Minority New Hires	25	15%	39	21%	36%
<b>Total Promotions</b>	<b>171</b>	<b>100%</b>	<b>188</b>	<b>100%</b>	<b>9%</b>

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**DELAWARE STATE POLICE (DSP)**  
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**EMPLOYEE ACTIONS (CIVILIAN)**

**Table 9A**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
The Delaware State Police is covered under the Law Enforcement Officers Bill of Rights (LEOBOR) which restricts the dissemination of discipline data.					
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	5	31%	24	57%	79%
Total Female Minority Separations	1	6%	5	12%	80%
Total Male Non-Minority Separations	9	56%	11	26%	18%
Total Male Minority Separations	1	6%	2	5%	50%
<b>Total Separations</b>	<b>16</b>	<b>100%</b>	<b>42</b>	<b>100%</b>	<b>62%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	13	57%	14	67%	7%
Total Female Minority New Hires	2	9%	2	10%	0%
Total Male Non-Minority New Hires	8	35%	4	19%	-50%
Total Male Minority New Hires	0	0%	1	5%	100%
<b>Total New Hires</b>	<b>23</b>	<b>100%</b>	<b>21</b>	<b>100%</b>	<b>-9%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	5	50%	11	52%	55%
Total Female Minority Promotions	2	20%	2	10%	0%
Total Male Non-Minority Promotions	3	30%	8	38%	63%
Total Male Minority Promotions	0	0%	0	0%	0%
<b>Total Promotions</b>	<b>10</b>	<b>100%</b>	<b>21</b>	<b>100%</b>	<b>52%</b>

**Tables 9 and 9A** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

Table 9 data were obtained from the PHRST system as of 06/30/2022.

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**SECTION VII: EMPLOYEE ENGAGEMENT**

**Table 10**

**DSP uses their own independent training methods. Therefore, training data is not currently available.**

**Table 10** displays the total number of attendees for D&I-related training courses by gender and minority status.

**Table 11**

<b>TUITION REIMBURSEMENT SUMMARY (SWORN)</b>	
	<b>Number</b>
Total Non-Minority Female	2
Total Minority Female	1
Total Non-Minority Male	8
Total Minority Male	4
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>11</b>

**Table 11A**

<b>TUITION REIMBURSEMENT SUMMARY (CIVILIAN)</b>	
	<b>Number</b>
Total Non-Minority Female	4
Total Minority Female	0
Total Non-Minority Male	1
Total Minority Male	0
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>5</b>

**Table 11 and 11A** display the total number of employees receiving tuition reimbursement by gender and minority status for sworn and civilian employees, respectively.

*Table 10 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022*

*Table 11 data were obtained from agency internal records during FY22.*



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**Table 12**

<b>EXIT SURVEY SUMMARY (SWORN)</b>						
	<b>EXCELLENT</b>	<b>GOOD</b>	<b>AVERAGE</b>	<b>BELOW</b>	<b>POOR</b>	<b>TOTAL</b>
<b>Agency as a place to work</b>	67%	33%	0%	0%	0%	100%
	6	3	0	0	0	9
<b>Opportunity for advancement or promotion</b>	44%	44%	11%	0%	0%	100%
	4	4	1	0	0	9
<b>Recognition of accomplishments/contributions</b>	22%	67%	11%	0%	0%	100%
	2	6	1	0	0	9
<b>Relationships with co-workers</b>	44%	56%	0%	0%	0%	100%
	4	5	0	0	0	9
<b>Relationship with your manager/supervisor</b>	63%	25%	0%	13%	0%	100%
	5	2	0	1	0	8
<b>Agency commitment to quality and customer service</b>	78%	22%	0%	0%	0%	100%
	7	2	0	0	0	9
<b>Work area tools available to perform the functions of your job</b>	44%	56%	0%	0%	0%	100%
	4	5	0	0	0	9
<b>Performance goals were clear and you knew what was expected of you in your job</b>	63%	38%	0%	0%	0%	100%
	5	3	0	0	0	8
<b>Training and development needs were assessed and met</b>	67%	33%	0%	0%	0%	100%
	6	3	0	0	0	9
<b>Benefits package</b>	89%	11%	0%	0%	0%	100%
	8	1	0	0	0	9
<b>Compensation</b>	88%	13%	0%	0%	0%	100%
	7	1	0	0	0	8
<b>Family-Friendly Workplace</b>	44%	33%	22%	0%	0%	100%
	4	3	2	0	0	9

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**Table 12A**

EXIT SURVEY SUMMARY (CIVILIAN)						
	EXCELLENT	GOOD	AVERAGE	BELOW AVERAGE	POOR	TOTAL
Agency as a place to work	21%	50%	21%	7%	0%	100%
	3	7	3	1	0	14
Opportunity for advancement or promotion	0%	14%	7%	50%	29%	100%
	0	2	1	7	4	14
Recognition of accomplishments/contributions	0%	21%	36%	14%	29%	100%
	0	3	5	2	4	14
Relationships with co-workers	21%	50%	21%	7%	0%	100%
	3	7	3	1	0	14
Relationship with your manager/supervisor	29%	36%	14%	7%	14%	100%
	4	5	2	1	2	14
Agency commitment to quality and customer service	36%	21%	36%	7%	0%	100%
	5	3	5	1	0	14
Work area tools available to perform the functions of your job	14%	14%	36%	29%	7%	100%
	2	2	5	4	1	14
Performance goals were clear and you knew what was expected of you in your job	31%	8%	31%	8%	23%	100%
	4	1	4	1	3	13
Training and development needs were assessed and met	14%	14%	21%	36%	14%	100%
	2	2	3	5	2	14
Benefits package	36%	50%	14%	0%	0%	100%
	5	7	2	0	0	14
Compensation	7%	21%	21%	36%	14%	100%
	1	3	3	5	2	14
Family-Friendly Workplace	21%	43%	7%	14%	14%	100%
	3	6	1	2	2	14

**Tables 12 and 12A** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 12 data were obtained from the employee responses provided on an online survey during FY22.*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 13**

HARD-TO-FILL VACANCIES
Vacancy Rate data not available for DSP Hard-to-Fill Positions

**Table 14**

HARD-TO-FILL APPLICANT PIPELINE
Applicant Pipeline data not available for DSP Hard-to-Fill Positions

**Tables 13 and 14** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 13 data were obtained from the PHRST system as of 06/30/2022.*

*Table 14 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022*

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**Table 15**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
450601100	DSHS/ DSP /Executive	12%	5%	-7%
450602200	DSHS/ DSP /Bldg Maint & Construction	0%	0%	0%
450603300	DSHS/ DSP /Patrol	3%	5%	2%
450604400	DSHS/ DSP /Criminal Investigations	11%	5%	-6%
450605500	DSHS/ DSP /Special Investigations	9%	3%	-6%
450606600	DSHS/ DSP /Aviation	4%	4%	0%
450607700	DSHS/ DSP /Traffic	14%	5%	-9%
450608800	DSHS/ DSP /SBI	5%	5%	0%
450609900	DSHS/ DSP /Training	9%	9%	0%
450610910	DSHS/ DSP /Communications	9%	5%	-4%
450611911	DSHS/ DSP /Transportation	8%	9%	1%
450612912	DSHS/ DSP /Community Relations	9%	10%	1%
<b>Department Average</b>		<b>8%</b>	<b>5%</b>	<b>-2%</b>

**Table 16**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
L26003	Equipment Mechanic III	8%	200%	192%
L23301	Accounting Technician	0%	10%	10%

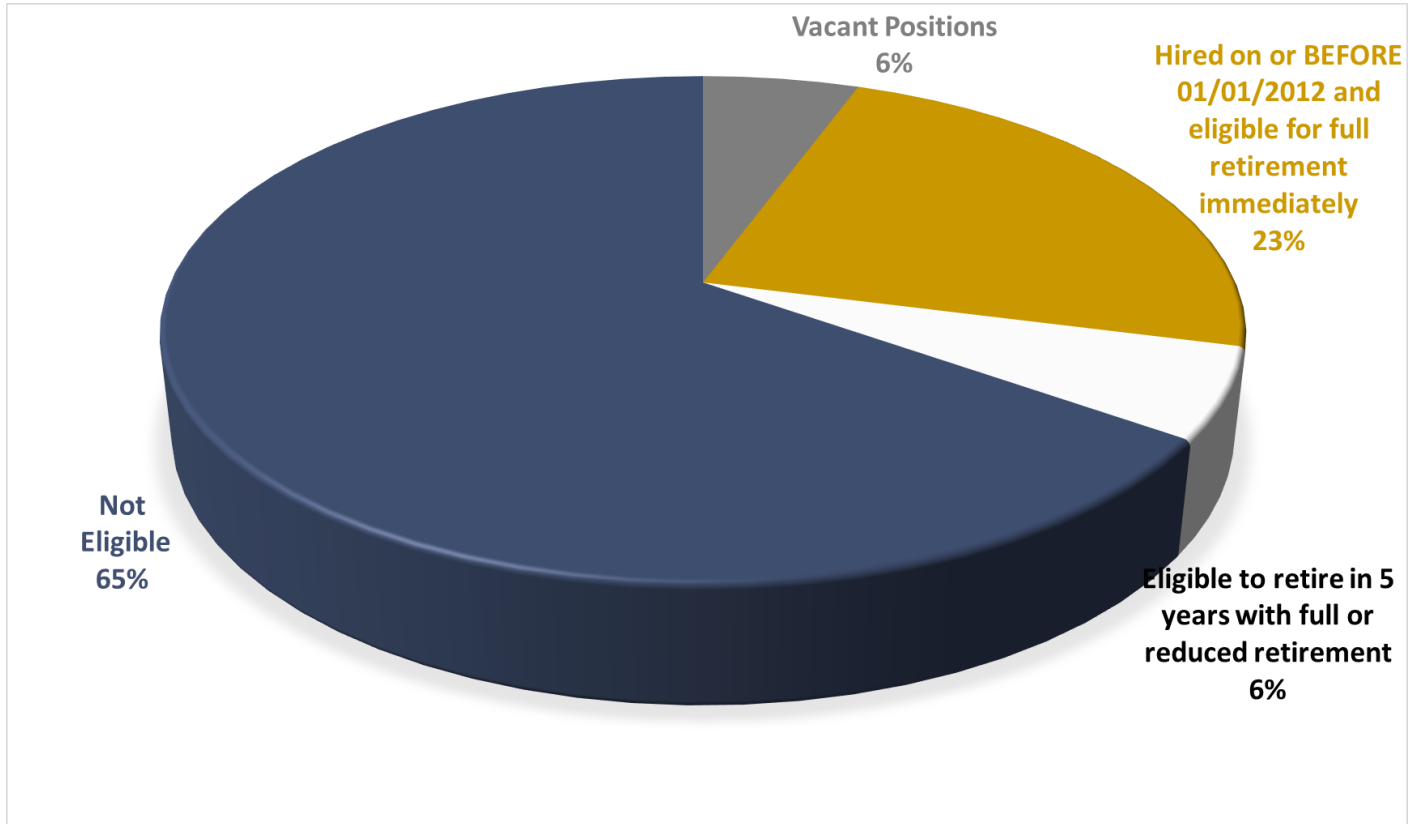
**Tables 15 and 16** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

*Tables 15 and 16 data were obtained from the PHRST system as of 06/30/2022.*

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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 17**



**Figure 17** illustrates the percentage of positions based on their retirement eligibility status.  
*Figure 17 data were obtained from the PHRST system as of 06/30/2022.*

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

**Delaware State Police:** Per Del. Code Title 11, Chapter 83, DSP Uniformed Officers are eligible to retire if their age plus years of credited service (at least ten (10) years' service) equals 75, or with 20 years of credited service.

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 18**

<b>Aviation</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>28</b>	<b>28</b>	<b>0</b>	<b>13</b>	<b>0</b>	<b>15</b>
<b>Patrol</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>416</b>	<b>413</b>	<b>3</b>	<b>84</b>	<b>1</b>	<b>328</b>
<b>Statistical Bureau of Information</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>69</b>	<b>60</b>	<b>9</b>	<b>9</b>	<b>14</b>	<b>37</b>
<b>Traffic</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>22</b>	<b>21</b>	<b>1</b>	<b>13</b>	<b>0</b>	<b>8</b>
<b>Training</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>11</b>	<b>11</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>7</b>
<b>Transportation</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>13</b>	<b>11</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>6</b>
<b>Building Maintenance and Construction</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>5</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>1</b>

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<b>Communications</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>99</b>	<b>74</b>	<b>25</b>	<b>4</b>	<b>20</b>	<b>50</b>
<b>Community Relations</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>12</b>	<b>10</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>7</b>
<b>Criminal Investigation</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>203</b>	<b>201</b>	<b>2</b>	<b>68</b>	<b>4</b>	<b>129</b>
<b>Special Investigations</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>70</b>	<b>62</b>	<b>8</b>	<b>13</b>	<b>2</b>	<b>47</b>
<b>Executive</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>58</b>	<b>54</b>	<b>4</b>	<b>24</b>	<b>9</b>	<b>21</b>
<b>Delaware State Police Totals</b>					
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
<b>1006</b>	<b>950</b>	<b>56</b>	<b>236</b>	<b>58</b>	<b>656</b>

**Table 18** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

*Table 18 data were obtained from the PHRST system as of 06/30/2022.*

### Applicant Pipeline and Recruitment and Hiring Times

**DSP uses its own independent recruitment methods.  
Therefore, Applicant Pipeline and Recruitment/Hiring Time data are not currently available.**

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Inservice training for sworn and civilian employees.	Monitor through our training academy and LMS	Academy and Human Resources	Human Capital and Training	Respectful Workplace training August 2022 for civilians
SP-1 Goal 2	To place emphasis on recruiting efforts to attract additional applicants, especially recruits among the under-represented EEO/AA categories.	An increase in the number of applicants to include minority and female representation for the fiscal year.	DSP Human Resources/Recruiting	Increasing social media dissemination efforts. Revamping all of our recruiting and marketing efforts to include audio/video and merchandise.	September 2022
SP-1 Goal 3	Increase recruiting efforts at HBCUs, military/veteran, and faith-based outreach.	An increase in applicants from both arenas.	DSP Human Resources/Recruiting	Military Taps program coordinators within all branches of the service.	September 2022



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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.\*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Conduct performance evaluations throughout the year for newly promoted civilian and sworn supervisors/managers.	Successful completion of the probation period - correct and improve any deficits before they arise.	Supervisors/Managers of newly promoted employees in this category.	Human capital and training.	FY23
SP-2 Goal 2	Continue to offer training opportunities internally and externally.	Increase in the number of employees attending training.	Human Resources, DSP Academy, and supervisors/managers	Email notifications to all employees.	Continuous

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**DELAWARE STATE POLICE (DSP)**  
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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their career with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Administer LDP (Leadership Development Program) for newly promoted Sgts and shift leaders and civilian supervisors/managers to continually update the coursework based on professional, social, and cultural relevance.	Allows newly promoted Sgts. and above to successfully complete their one-year probationary period at their new rank. Allows those seeking future promotional opportunities to succeed in implementing those lessons learned into their new assignment.	Executive Staff and a cadre of DSP adjunct instructors.	Human capital and training	Ongoing
SP-3 Goal 2	Continue our tuition reimbursement program.	Increase in the number of sworn and civilian participants.	Human Resources	Tuition reimbursement budget	Continuous



# Delaware Department of Technology and Information (DTI)

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## FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022



## MEMORANDUM

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: Jason Clarke   
Chief Information Officer

DATE: December 6, 2022

SUBJECT: Department of Technology and Information  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

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Attached is a copy of the Department of Technology and Information FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.


If you have any questions, please feel free to contact me at 739-9643 or [Jason.Clarke@delaware.gov](mailto:Jason.Clarke@delaware.gov).

Thank you.

Enclosures

**STATE OF DELAWARE**  
**DEPARTMENT OF TECHNOLOGY AND INFORMATION (DTI)**  
**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's protected class. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.



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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)). Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.

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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the Investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will ill share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Employee and Labor Relations
- **Policy Administrator:** Director of the Division of Employee and Labor Relations
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*



A handwritten signature in blue ink, followed by the date "12-14-2022".

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT**

The objective of the Department of Technology and Information’s (DTI) Affirmative Action Plan is to ensure all its employees receive equality of opportunity limited only by everyone’s desire and ability. DTI remains dedicated to providing a work environment that is diverse, inclusive, and free from discrimination. As an Equal Opportunity Employer, DTI does not discriminate based on a person’s race, color, national origin, gender, age, sex, pregnancy, marital status, sexual orientation, gender identity or expression, religion, creed, genetic information, disability, veteran’s status, family responsibility, status as a victim of domestic violence, sexual assault and/or stalking, or other category protected by statute and/or federal laws. DTI conforms to all applicable equal employment opportunity laws and regulations. DTI’s Affirmative Action Plan is aligned with its core value to “Value people and their contributions” and describes our ongoing D&I initiatives that foster an inclusive work culture and maintain an environment where all employees are respected and valued for who they are so that they reach their full potential.

The plan also addresses areas where an increased focus in recruitment and retention of a more diverse workforce is required. DTI attended and participated in career/job fairs and met with DOL and Tech Impact regarding an apprenticeship program to establish a pipeline of talent. Modernizing job profiles continues to be a high priority and is approximately 85% complete. Next step is establishing a new compensation structure that will allow DTI to hire and retain a highly qualified workforce, especially for the hard-to-fill positions.

DTI continues to focus on female under-representation and will explore various ways to attract qualified females. While DTI is under-represented compared to the Delaware labor market, we are above 25% which is the percentage of females in IT positions nationwide.

DTI will be implementing a new performance management solution that will streamline the employee feedback process and provide information regarding areas of progress, and improvement, track goals, and provides managers with succession planning information.

<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Office of the CIO	8
Security Office	11
Operations Office	94
Technology Office	130
Policy and Communications	4
Partner Engagement Office	54
<b>TOTAL</b>	<b>301</b>

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## Responsibilities for Implementation

### RESPONSIBILITIES STATEMENT

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The Chief Information Officer (CIO) of the Department of Technology and Information oversees the implementation of the Department’s Affirmative Action Plan to ensure that it is implemented promptly and effectively. The Chief of Administration, Jordan Schulties, and the Human Resources Administrator, Kim Thornton, implements the Affirmative Action Plan and ensures that managers comply with federal and state laws, regulations, and executive orders. The Affirmative Action Officer’s duties and responsibilities include:

1. Lead management staff in interpretation and administration of the Affirmative Action Program.
2. Identify under-represented areas and proactively plan outreach and recruitment efforts that deliberately focus on increasing organizational diversity.
3. Maintain an open line of communication with management and provide updates regarding the latest development and requirements of Federal/State laws, rules, and regulations which may require changes to current policies and procedures.
4. Monitor and evaluate employment policies and practices to ensure compliance.
5. Promote positive working relationships and better communications, employees and their managers to meet and discuss employee claims of policy or law violations prior to filing a complaint. Employees have the right to use DTI’s complaint procedure free of threats, intimidation, or retaliation.



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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Reduce the significant disparity between technology demands and the staff that are crucial to implementing, operating, maintaining, updating, and sustaining technology solutions.	Received the requested headcount and filled positions.	Human Resources, Fiscal, and hiring managers	Requested additional headcount for the FY23 budget.	DTI was approved to receive 16 new positions in the FY23 budget, effective July 1, 2022. New positions have been established in PHRST and recruiting for the positions has begun.

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Managers are to provide performance plans/reviews for each of their direct reports by the scheduled timeframe.	Awarded Performance Bonuses to qualified employees.  Vendor selected	Human Resources and hiring managers	HR, with CIO support, enforced the completion of performance plans/reviews for each employee.  HR Admin researched and demoed cloud-based solutions that would support, streamline, and simplify the performance management process.	Hiring managers completed reviews which provided employees with valuable feedback regarding their performance.  HR Admin and a select group of hiring managers began working with the vendor to create the format and workflow of the new Performance Management solution.
SP-2 Goal 2	Reduce the amount of time to fill vacant positions which could result in losing highly skilled candidates who are in high demand.	Reduced the number average number of days from 55 days to 44 days.	Managers and administrative assistants follow a 30-day timeline that provided them with key time indicators on when certain aspects of the hiring process should be completed.	HR worked with hiring managers to ensure they followed the established Rapid Hire process to try to shorten the hiring process to 30 days.	Hiring the best talent in the shortest amount of time considering the demands in the labor market.

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Reduce DTI's female under-representation in multiple EEO categories compared to the Delaware Labor Market.	While not all categories were reduced, DTI hired 10 qualified females which are 30% of new hires. DTI's female representation is 32%; however, nationwide is 25% in IT roles.	HR and hiring managers	Attended two DOL and City of Dover sponsored job fairs, and Del Tech's virtual career fair; participated in FLii intern program; worked with Tech Impact regarding apprenticeship program.  Maintained exposure to attract qualified and diverse talent.	Continuing to expand outreach and recruiting efforts.  Renewed LinkedIn contract for posting hard-to-fill positions.
SP-3 Goal 2	Establish career ladders allowing for promotional advancement and retain a highly skilled workforce.	To date, 24 new profiles (79 positions) have been reviewed by DHR, and HAY points applied.	HR and subject matter experts, typically hiring managers.	Continued to create new job profiles that include career ladders.	Continuing to work on profiles.
SP-3 Goal 3	Establish a compensation structure that allows DTI to hire and retain a highly qualified workforce required to support Delaware's digital government initiatives.	TBD	DTI and DHR	No action was taken due to the new profiles not complete.	TBD

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**SECTION IV: WORKFORCE ANALYSIS**

**DTI Overview:**

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The Department of Technology and Information (DTI) is not underrepresented for minorities in any EEO-4 categories. DTI has 301 employees and minorities represent 36% of the DTI's workforce, a 1% increase from FY21.

Below are observable trends that affect DTI's opportunity to increase diversity in its workforce:

- DTI is underrepresented in five EEO categories for females. Generally, females do not pursue IT jobs as much as men; females represent only 25% of the jobs in the field.
- DTI's applicant pipeline is 56% white and 28% female. DTI must continue to build female applicant pipelines through advertising, apprenticeships, and internships.
- DTI has 8 job classifications that are Hard-to-fill. Most of these are at the senior level and DTI's salaries are not competitive with the industry. DTI will be creating a new compensation structure to address the salary disparity.
- DTI will continue to work on modernizing job profiles, to include promotional career ladders, and establish a new compensation structure will help in recruiting and retaining efforts.

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**DTI Demographics at a Glance:**

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The total number of DTI employees as of June 30, 2022, by EEO-4 category is 301.

The DTI EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DTI workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DTI workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DTI does not hire in the Protective Services and Skilled Craft EEO-4 categories.

The following summary of findings were derived from this data:

**Minority Representation:**

- Minorities represent 36% of the total DTI workforce, a 1% increase from FY21.
- Overall DTI exceeds the regional labor market in all EEO-4 categories.

**Female Representation:**

- Females represent 32% of the total DTI workforce, a 1% decrease from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-8%)
  - Professionals (-28%)
  - Technicians (-36%)
  - Para-Professional (-10%)
  - Service Maintenance (-44%)

**Male Representation:**

- Males represent 68% of the DTI workforce, a 1% increase from FY21.
- Males are under-represented in the following EEO-4 category:
  - Office & Clerical (-7%)

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**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	8	3	0	4	0	0	0	15	63%	0	8	0	0	0	0	0	1	9	38%	0	24	8	33%
2 Professionals	117	32	6	21	1	0	3	180	69%	7	52	12	1	13	0	0	1	79	31%	1	259	90	35%
3 Technicians	4	2	0	0	0	0	0	6	86%	0	0	1	0	0	0	0	0	1	14%	0	7	3	43%
4 Protective Services	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
5 Para Professional	0	1	0	0	0	0	0	1	33%	0	1	1	0	0	0	0	0	2	67%	0	3	2	67%
6 Office & Clerical	1	1	0	0	0	0	0	2	29%	0	3	2	0	0	0	0	0	5	71%	0	7	3	43%
7 Skilled Craft	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
8 Service Maintenance	0	1	0	0	0	0	0	1	100%	0	0	0	0	0	0	0	0	0	0.00%	0	1	1	100%
<b>Totals</b>	<b>130</b>	<b>40</b>	<b>6</b>	<b>25</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>205</b>	<b>68%</b>	<b>7</b>	<b>64</b>	<b>16</b>	<b>1</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>96</b>	<b>32%</b>	<b>1</b>	<b>301</b>	<b>107</b>	<b>36%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*



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**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

Table 2

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	33%	9%	13%	0%	17%	0%	0%	4%
2 Professionals	29%	35%	6%	17%	3%	13%	0%	0%	2%
3 Technicians	38%	43%	5%	43%	0%	0%	0%	0%	0%
4 Protective Services	37%	0%	NA	0%	0%	0%	0%	0%	0%
5 Para Professional	34%	67%	33%	67%	0%	0%	0%	0%	0%
6 Office & Clerical	31%	43%	12%	43%	0%	0%	0%	0%	0%
7 Skilled Craft	26%	0%	NA	0%	0%	0%	0%	0%	0%
8 Service Maintenance	45%	100%	55%	100%	0%	0%	0%	0%	0%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

Table 3

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	38%	-8%	33%	0%	0%	0%	0%	0%	4%
2 Professionals	59%	31%	-28%	20%	5%	0%	5%	0%	0%	0%
3 Technicians	50%	14%	-36%	0%	14%	0%	0%	0%	0%	0%
4 Protective Services	19%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	77%	67%	-10%	33%	33%	0%	0%	0%	0%	0%
6 Office & Clerical	65%	71%	7%	43%	29%	0%	0%	0%	0%	0%
7 Skilled Craft	6%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	0%	-44%	0%	0%	0%	0%	0%	0%	0%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

Table 4

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	63%	8%	33%	13%	0%	17%	0%	0%	0%
2 Professionals	41%	69%	28%	45%	12%	2%	8%	0%	0%	1%
3 Technicians	50%	86%	36%	57%	29%	0%	0%	0%	0%	0%
4 Protective Services	81%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	23%	33%	10%	0%	33%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	29%	-7%	14%	14%	0%	0%	0%	0%	0%
7 Skilled Craft	94%	0%	NA	0%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	56%	100%	44%	0%	100%	0%	0%	0%	0%	0%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and [AGENCY] demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	9%	3%	9%
2 Professionals	11%	5%	6%
3 Technicians	11%	3%	5%
4 Protective Services	N/A	N/A	0%
5 Paraprofessional	34%	33%	33%
6 Office & Clerical	25%	29%	12%
7 Skilled Craft	N/A	N/A	0%
8 Service Maintenance	58%	55%	55%

**Table 6** **Female Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	-3%	5%	-8%
2 Professionals	-25%	-27%	-28%
3 Technicians	-31%	-20%	-36%
4 Protective Services	N/A	N/A	0%
5 Paraprofessional	-17%	-10%	-10%
6 Office & Clerical	1%	-5%	7%
7 Skilled Craft	N/A	N/A	0%
8 Service Maintenance	-45%	-44%	-44%

**Table 7** **Male Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	3%	-5%	8%
2 Professionals	25%	27%	28%
3 Technicians	31%	20%	36%
4 Protective Services	N/A	N/A	0%
5 Paraprofessional	17%	10%	10%
6 Office & Clerical	-1%	5%	-7%
7 Skilled Craft	N/A	N/A	0%
8 Service Maintenance	45%	44%	44%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

**Table 8**

**DTI HAD ZERO COMPLAINTS IN FY22**

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**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

*Table 8 data were obtained from agency internal records during FY22.*

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	0	0%	0	0%	0%
Total Female Minority Disciplines	0	0%	0	0%	0%
Total Male Non-Minority Disciplines	1	100%	0	0%	-100%
Total Male Minority Disciplines	0	0%	1	100%	100%
<b>Total Disciplines</b>	<b>1</b>	<b>100%</b>	<b>1</b>	<b>100%</b>	<b>0%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	3	16%	5	15%	40%
Total Female Minority Separations	3	16%	8	24%	63%
Total Male Non-Minority Separations	10	53%	15	45%	33%
Total Male Minority Separations	3	16%	5	15%	40%
<b>Total Separations</b>	<b>19</b>	<b>100%</b>	<b>33</b>	<b>100%</b>	<b>42%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	5	21%	8	24%	38%
Total Female Minority New Hires	3	13%	2	6%	-50%
Total Male Non-Minority New Hires	10	42%	12	35%	17%
Total Male Minority New Hires	6	25%	12	35%	50%
<b>Total New Hires</b>	<b>24</b>	<b>100%</b>	<b>34</b>	<b>100%</b>	<b>29%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	2	11%	2	10%	0%
Total Female Minority Promotions	2	11%	3	15%	33%
Total Male Non-Minority Promotions	11	61%	9	45%	-18%
Total Male Minority Promotions	3	17%	6	30%	50%
<b>Total Promotions</b>	<b>18</b>	<b>100%</b>	<b>20</b>	<b>100%</b>	<b>10%</b>

**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

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**SECTION VII: EMPLOYEE ENGAGEMENT**

**Table 10**

<b>EEO TRAINING SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female Attendees	51
Total Minority Female Attendees	17
Total Non-Minority Male Attendees	97
Total Minority Male Attendees	42
<b>Total Employees Attending Training</b>	<b>207</b>

**Table 10** displays the total number of attendees for D&I-related training courses by gender and minority status.

*Table 10 data were obtained from agency internal records during FY22*

**Table 11**

<b>TUITION REIMBURSEMENT SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female	4
Total Minority Female	1
Total Non-Minority Male	1
Total Minority Male	3
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>9</b>

**Table 11** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 11 data were obtained from agency internal records during FY22*

**Table 12**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed Disabled	8
Total Requests for Accommodations	4
Total Requests Accommodated	4
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

**Table 12** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via Selective Placement.

*Table 12 data were obtained from agency internal records system as of 06/30/2022.*

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**Table 13**

<b>EXIT SURVEY SUMMARY</b>						
	<b>EXCELLEN</b>	<b>GOOD</b>	<b>AVERAGE</b>	<b>BELOW</b>	<b>POOR</b>	<b>TOTAL</b>
<b>Agency as a place to work</b>	38%	29%	21%	13%	0%	100%
	9	7	5	3	0	24
<b>Opportunity for advancement or promotion</b>	4%	13%	29%	29%	25%	100%
	1	3	7	7	6	24
<b>Recognition of accomplishments/contributions</b>	8%	29%	38%	13%	13%	100%
	2	7	9	3	3	24
<b>Relationships with co-workers</b>	58%	33%	8%	0%	0%	100%
	14	8	2	0	0	24
<b>Relationship with your manager/supervisor</b>	38%	38%	8%	13%	4%	100%
	9	9	2	3	1	24
<b>Agency commitment to quality and customer service</b>	21%	54%	21%	4%	0%	100%
	5	13	5	1	0	24
<b>Work area tools available to perform the functions of your job</b>	30%	35%	30%	4%	0%	100%
	7	8	7	1	0	23
<b>Performance goals were clear and you knew what was expected of you in your job</b>	17%	38%	33%	8%	4%	100%
	4	9	8	2	1	24
<b>Training and development needs were assessed and met</b>	8%	29%	38%	17%	8%	100%
	2	7	9	4	2	24
<b>Benefits package</b>	54%	38%	4%	4%	0%	100%
	13	9	1	1	0	24
<b>Compensation</b>	4%	25%	29%	25%	17%	100%
	1	6	7	6	4	24
<b>Family-Friendly Workplace</b>	25%	25%	33%	13%	4%	100%
	6	6	8	3	1	24

**Table 13** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 13 data were obtained from the employee responses provided on an online survey during FY22.*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 14**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
0	0	MUAD20	Enterprise Application Specialist/DBA	7	0%	0%	0%
0	0	MUAD40	Project Management Specialist	8	0%	0%	0%
3	1	MUAD44	Senior Software Engineer	22	14%	5%	-67%
1	1	MUAD51	Senior Telecommunications Technologist	7	14%	14%	0%
1	1	MUAD60	Senior Systems Engineering Analyst	12	8%	8%	0%
0	1	MUAD67	Lead Telecommunications Technologist	6	0%	17%	100%
0	0	MUAD75	Senior Project Management Specialist	9	0%	0%	0%
0	0	MUAD84	Senior Systems Administration Analyst	5	0%	0%	0%

**Table 15**

HARD-TO-FILL APPLICANT PIPELINE				
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received
MUAD20	Enterprise Application Specialist/DBA	1	2	2
MUAD40	Project Management Specialist	1	11	11
MUAD44	Senior Software Engineer	2	5	3
MUAD51	Senior Telecommunications Technologist	N/A		
MUAD60	Senior Systems Engineering Analyst	1	3	3
MUAD67	Lead Telecommunications Technologist	1	1	1
MUAD75	Senior Project Management Specialist	1	6	6
MUAD84	Senior Systems Administration Analyst	1	3	3

**Tables 14 and 15** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

*Table 15 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 16**

Turnover by Division
Data not Available for DTI

**Table 17**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MUAD20	Enterprise Application Specialist/DBA	0%	0%	0%
MUAD40	Project Management Specialist	0%	13%	13%
MUAD44	Senior Software Engineer	9%	10%	1%
MUAD51	Senior Telecommunications Technologist	17%	0%	-17%
MUAD60	Senior Systems Engineering Analyst	9%	9%	0%
MUAD67	Lead Telecommunications Technologist	0%	18%	18%
MUAD75	Senior Project Management Specialist	0%	0%	0%

**Tables 16 and 17** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

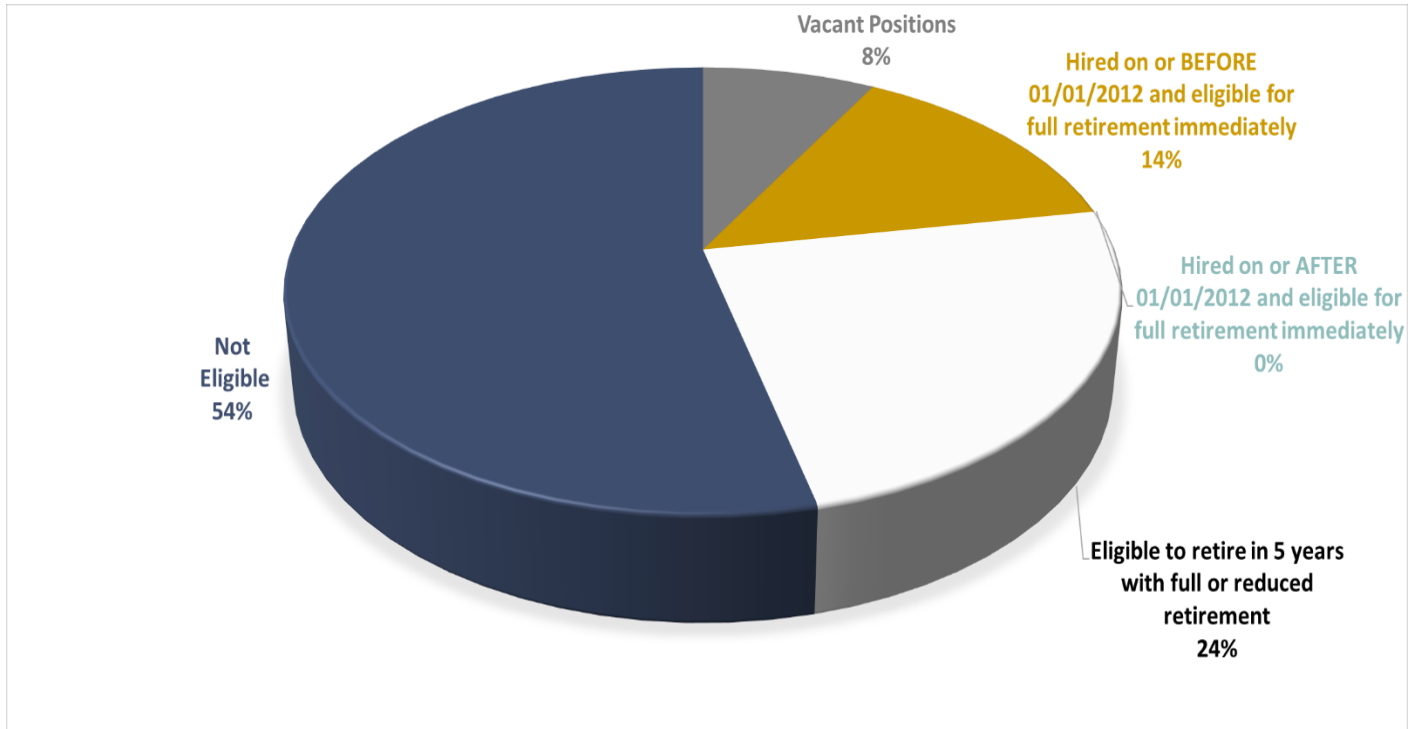
*Tables 17 data were obtained from the PHRST system as of 06/30/2022.*



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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 18**



**Figure 18** illustrates the percentage of positions based on their retirement eligibility status.

Figure 18 data were obtained from the PHRST system as of 06/30/2022.

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 19**

<b>Chief Information Officer</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
9	8	1	0	0	2	6
<b>Data Center Operations</b>						
40	35	5	10	0	10	15
<b>Senior Project Team</b>						
17	17	0	4	0	9	4
<b>Enterprise Solutions</b>						
32	31	1	4	0	8	19
<b>Chief Policy Officer</b>						
5	4	1	3	0	1	0
<b>Application Delivery</b>						
67	60	7	7	0	18	35
<b>Systems Engineering</b>						
29	27	2	5	0	11	11
<b>Operations Consolidation</b>						
0			4	0	0	-4
<b>Administration</b>						
8	8	0	1	0	5	2
<b>Telecommunications</b>						
26	22	4	3	0	3	16
<b>Chief Security Officer</b>						
14	11	3	1	0	4	6
<b>Strategic Enterprise Services</b>						
0			4	0	8	-12
<b>End User Services</b>						
40	39	1	0	0	0	39

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<b>Enterprise Data Management</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
11	11	0	0	0	0	11
<b>Innovation and Architecture</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
13	12	1	0	0	0	12
<b>Partner Engagement Services</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
15	15	0	0	0	0	15
<b>Department of Technology and Information Totals</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
326	300	26	46	0	79	175

**Table 19** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

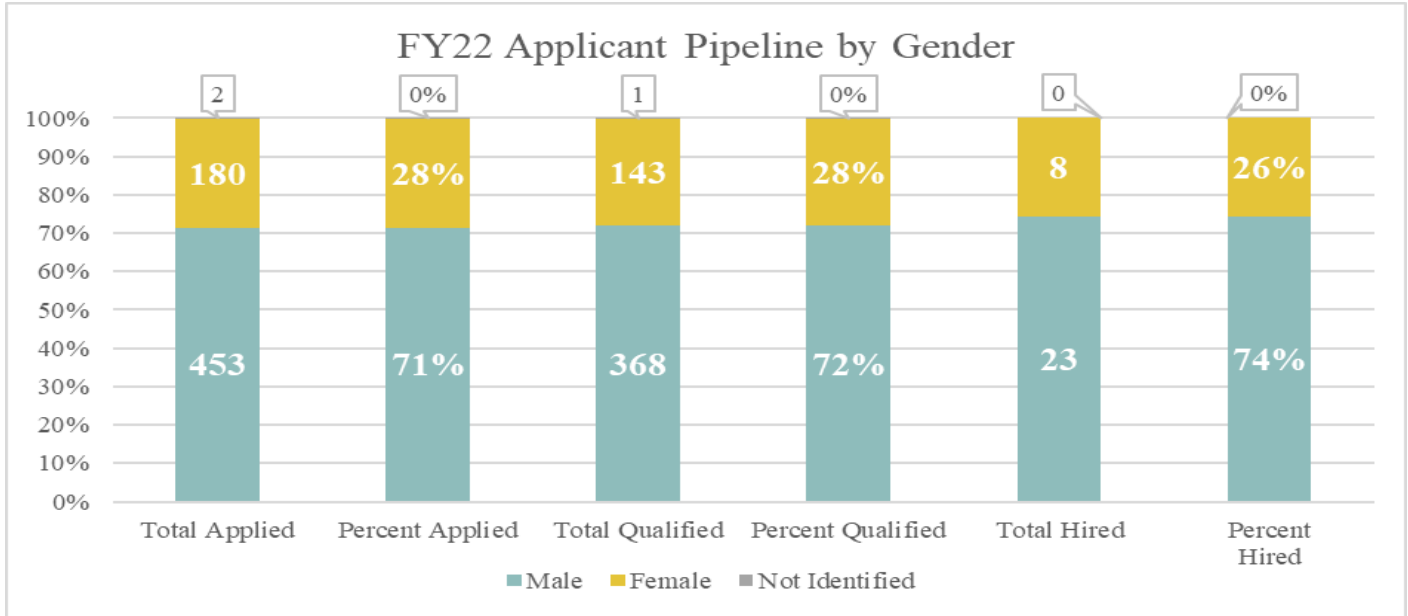
*Table 19 data were obtained from the PHRST system as of 06/30/2022.*

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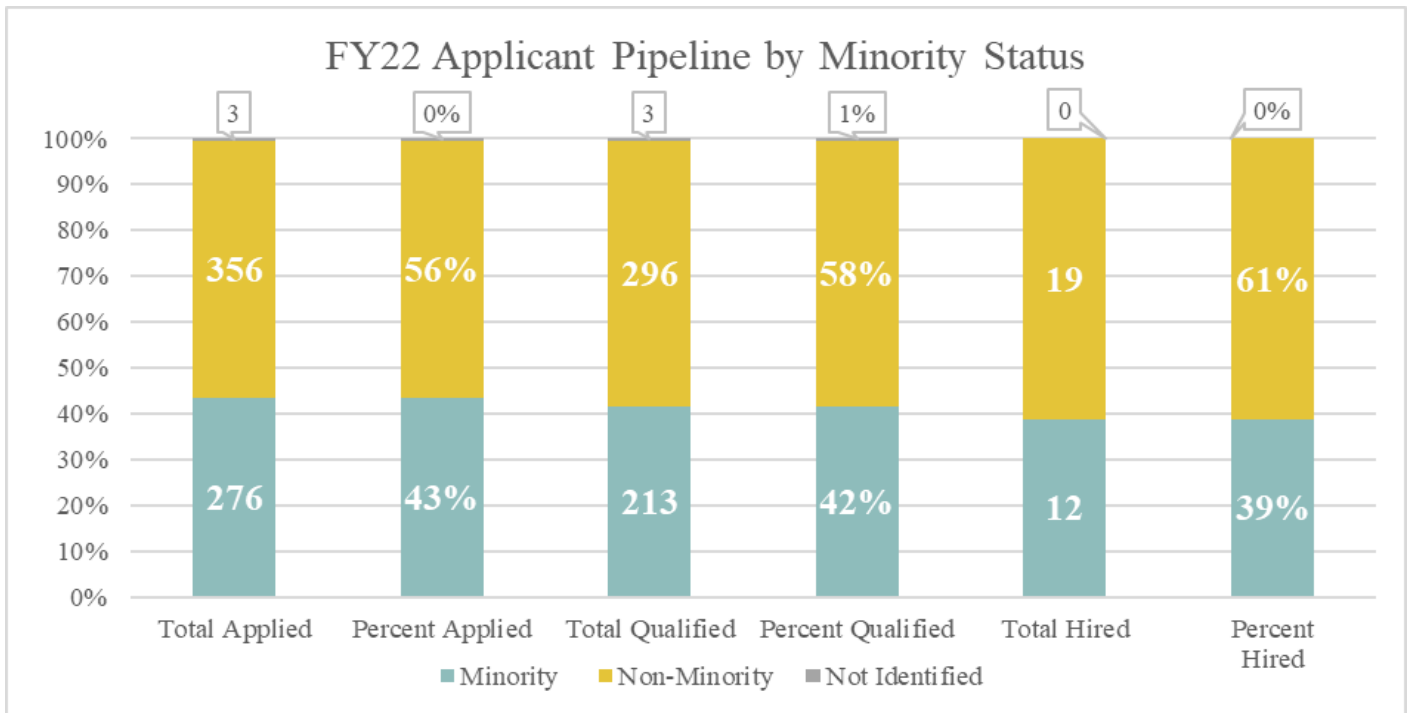
**Applicant Pipeline**

In FY22, 635 people applied online to DTI jobs, a 9% increase from FY21 in which 575 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 20**



**Figure 21**



**Figures 20 and 21** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 20 and 21 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Recruitment and Hiring Times**

**Table 22**

<b>Fiscal Year</b>	<b>Average Time-to-Fill (days)</b>
<b>FY21</b>	<b>55</b>
<b>FY22</b>	<b>44</b>
<b>Change FY21 vs FY22</b>	<b>-11</b>

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**Table 22** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager's effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.

*Table 22 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Secure additional headcount to ease resource constraints in critical areas.	Increase in budget positions allocated to DTI.	DTI	Personnel and related funding	FY24
SP-1 Goal 2	Implementation of Secure End User Services package.	Standardization of service delivery will increase the efficiency of DTI teams.	DTI	Personnel (to be reallocated from agencies as part of centralization).	FY24
SP-1 Goal 3	Update DTI Overtime Policy.	Allow payment of overtime rather than comp time in pre-defined situations.	DTI	N/A	December 2022

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.\*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Implement a performance management solution.	Perform Yard platform implemented and rolled out to users.	DTI HR	N/A	Go live is planned for March 2023
SP-2 Goal 2	Ongoing training of managers	Utilize DLC and other training resources to deliver content to those with supervision responsibilities.	DTI	Delaware Learning Center	Ongoing
SP-2 Goal 3	Establish communication standards for an engaging remote workforce.	Increased employee satisfaction in the area of communication; utilize a new performance management platform for ongoing employee/manager conversations.	DTI	N/A	March 2023

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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their career with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Modernize DTI Pay Plan	Develop updated pay scales based on HAY point analysis completed in collaboration with DHR; align DTI compensation plan with industry to be competitive in recruiting and retention.	DTI/DHR	Funding (FY24 budget request submitted)	FY24
SP-3 Goal 2	Establish career ladders	Update job profiles to allow for internal promotional opportunities; increase retention of employees.	DTI/DHR	Funding (FY24 budget request submitted)	FY24
SP-3 Goal 3	Grow utilization of intern program in collaboration with DHR.	Year-over-year growth in utilization rate.	DTI/DHR	N/A	Ongoing





Delaware Office of Management and Budget (OMB)

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FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022



**MEMORANDUM**

TO: Claire DeMatteis  
Cabinet Secretary, Department of Human Resources

FROM: Cerron Cade  
Director, Office of Management and Budget

SUBJECT: Office of Management and Budget  
FY22 Equal Opportunity Employment/Affirmative Action Report  
and FY 23 Action Plan

DATE: December 8, 2022

Attached is a copy of the Office of Management and Budget, FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan, submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.

If you have any questions, please feel free to contact Tamara Ben Addi at 302.672.5156 or [tamara.ben-addi@delaware.gov](mailto:tamara.ben-addi@delaware.gov).


Thank you.

Enclosures

**STATE OF DELAWARE**  
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**FY 2022/FY 2023 EEO REPORT AND ACTION PLAN**



Delaware Department of  
**Human Resources**

RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY <sup>1</sup> Statewide	
<b>DHR-Policy #:</b> To be assigned.	<b>Authority:</b> 29 <i>Del. C.</i> Chapter 90D (as applicable); 19 <i>Del. C.</i> Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30
<b>Effective Date:</b> July 25, 2022.	<b>Supersedes:</b> June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention
<b>Application:</b> Executive Branch Agencies	<b>Signature:</b> 

**1. Policy Purpose Statement**

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**2. Scope**

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

<sup>1</sup> This resource is adapted and reprinted with permission from [SHRM.org](http://SHRM.org) © 2018. All rights reserved.

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Respectful Workplace and Anti-Discrimination Policy

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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

**3. Definitions and Acronyms**

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's [protected class](#). Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

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- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

**4. Policy**

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

**a. Discrimination**

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

**b. Harassment**

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

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**c. Sexual Harassment**

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

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- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

**d. Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

**e. Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

**f. EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

**5. Complaint Procedures**

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

**a. Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

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to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.<sup>2</sup> The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)). Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

**b. Confidentiality and Employee Assistance Program**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

**c. Complaint Procedure**

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

<sup>2</sup> This policy does not contain provisions for group complaints.



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employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
  - Supervisor
  - Manager
  - Agency's Equal Employment Opportunity Officer
  - Agency's LR or HR representative
  - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

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whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the Investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will ill share the Report with the DHR Secretary or designee (LREP) for review and finalization.

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- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

**6. Exclusions or Exceptions**

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

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**7. Dissemination and Training**

**a. Dissemination**

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

**b. Training**

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

**8. Data Reporting**

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

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- [Delaware Sexual Harassment Notice from Department of Labor](#)

**11. Policy Owner**

- **Division Name:** Division of Employee and Labor Relations
- **Policy Administrator:** Director of the Division of Employee and Labor Relations
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

*This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.*

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**SECTION I: POLICY STATEMENT**

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

**SECTION II: EXECUTIVE SUMMARY**

**SUMMARY STATEMENT:**

The Office of Management and Budget (OMB) is committed to ensuring that our employment practices are equitable and non-discriminating and that employees are compared with the relevant labor market by Equal Employment Opportunity (EEO) code, race, and gender. OMB has a major role in fulfilling the purpose of the Delaware Equal Employment Opportunity/Affirmative Action (EEO/AA) Laws and Executive Orders and provides leadership in carrying out good faith efforts to provide equal opportunity in hiring and promotions and elimination of barriers to employment. Training hiring officials to understand fair employment practices and promoting a diverse workforce fulfills this major role. Proactive measures which have been implemented to ensure fair employment practices are used in hiring decisions and prohibit unlawful discrimination.

This fiscal year, our main focus has been on recognition and recruiting. In addition to our annual in-person event this year, the Director’s Office has shown appreciation to OMB employees with periodic useful gifts such as Yeti-insulated tumblers, rocket books, and insulated water bottles. They were all disseminated with notes of appreciation to staff. As noted in last year’s plan, we would focus on recruiting this year. We started in our Financial Operations unit which they were experiencing a high turnover and began hiring interns and casual seasonal staff. Some staff has gone on to other opportunities in the private sector, while others have successfully gained full-time employment in the unit.

As mentioned above, our challenges continue to be in the areas of recruitment and retention. We are looking forward to participating in the financial and accounting maintenance review to ensure applicable staff are performing updated work as described in the classification specification and being compensated at a competitive rate. We are also seeking to employ more interns in the financial/accounting field.

<b>DEPARTMENT SUMMARY</b>	
<b>Names of Divisions</b>	<b># of Employees</b>
Administration	20
Budget Development and Planning	23
Mail/Courier Services	8
Office of Pensions	61
Facilities Management	67
Fleet Management	27
Contracting	23
Surplus Services	4
Food Distribution	5
PHRST	42
<b>TOTALS</b>	<b>280</b>

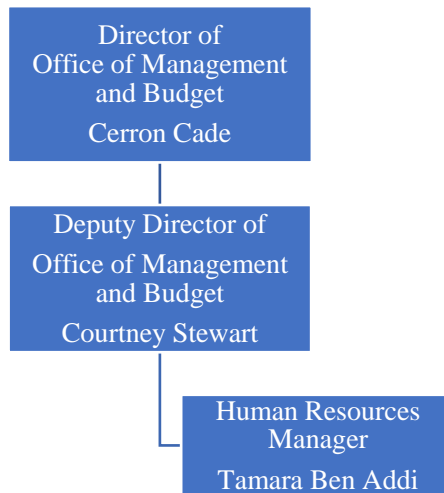
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**Responsibilities for Implementation**

**RESPONSIBILITIES STATEMENT**

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The Director of OMB oversees the implementation of the Department's AA Plan to ensure that it is implemented promptly and effectively. The OMB Personnel Office Human Resources Manager, Tamara Ben Addi ((302) 672-5156 or [tamara.ben-addi@delaware.gov](mailto:tamara.ben-addi@delaware.gov)) ensures that managers comply with Federal and State laws, regulations, and executive orders.





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**Section III: FY22 Accomplishments: July 1, 2021, To June 30, 2022**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-1 Goal 1	Creating meaningful engagement opportunities in a remote/hybrid work environment, ensuring that agency employees feel welcome, engaged, and part of a team driving the mission of OMB.	New employees feel welcome, understand the central service role that OMB plays, and feel comfortable reaching out to members of the senior leadership team with their ideas, thoughts, and suggestions.	Directors and Employee Recognition Committee	Creating meaningful engagement opportunities in a remote/hybrid work environment, ensuring that agency employees feel welcome, engaged, and part of a team driving the mission of OMB.	Held the first in-person recognition event at Killen’s Pond State Park on May 12, 2022. An Easter Egg Hunt was held in the Spring of 2022. Recognition gifts are distributed throughout the year rather than just at the yearly event.
SP-1 Goal 2	Provide staff with opportunities for professional development and growth.	OMB employees feel empowered to request training that will benefit their work group/team and will enhance the workplace as a whole.	Directors and supervisors	The Director’s Office encourages and approves offsite staff training and travel to conferences. The Director’s Office will provide funding if the division does not have the available funds. Additionally, the Director’s Office coordinated a visit from the NASBO team for an all-budget staff training.	Many budget analysts attended seminars and training (in person and virtual) throughout the year.

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-2 Goal 1	Ensure that performance plans are up to date and contain measurable performance objectives.	100% completion of performance plans and reviews.	Managers and Supervisors.	Remind Directors each year of the upcoming deadlines. Assist Directors in acquiring training in leadership.	Directors are reminded in November of each calendar year of the January deadline.
SP-2 Goal 2	Ensure that new managers have received basic managerial coaching/training so they feel ready and prepared for challenges they may experience in a new supervisory role.	Enrollment in training and certificate programs.	Directors	Provide Directors with information on programs available for new leaders in the organization.	New supervisors are being selected to participate in Leadership Programs. Specifically, one non-minority and one minority female has been accepted into the Women’s Leadership Online Certificate through the University of Delaware.

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**STRATEGIC PRIORITY (SP-3)**

**Recruitment and Retention**

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 1	Sections/divisions in OMB experience significant turnover (specifically the Fiscal and Policy Analysts in the Budget Development & Planning Division). Initiate internship program and utilize career ladders.	Improved employee retention.	Managers and supervisors.	Budget Development and Planning makes cyclical hires when available during the budget season. Financial Operations has hired six interns.	Two interns have acquired full-time positions within the unit. Others have moved out of state for private sector opportunities. In August 2022, we posted an intern position with the local colleges and universities and obtained resumes from Talent Acquisition. The goal is to acquire two interns per division.
SP-3 Goal 2	OMB has several hard-to-fill areas in Facilities Management. This problem is compounded by salary levels that are significantly below that of jobs in private-sector construction. Our objective is to hire and retain staff.	Improved employee retention.	Human Resources	Implement a recruitment and retention program. Initiate blanket salaries for impacted groups. Post positions for 180 days.	Steps have been taken and progress is being monitored.

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<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Steps Taken</b>	<b>Status</b>
SP-3 Goal 3	Several positions throughout OMB are mission-critical to successful statewide operations. Early retirements or recruitment of these key individuals to other organizations could be incredibly detrimental to OMB operations.	Cross-training to ensure the continuum of operations.	Impacted division directors.	Establish each division with at least one Director and Deputy. For hard-to-fill managerial positions that are of critical need, establish dual incumbencies for cross-training purposes.	Each division has at least one Director and Deputy Director. There are dual incumbencies established for PHRST and Facilities in critical need positions.

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**SECTION IV: WORKFORCE ANALYSIS**

**OMB Overview:**

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The Office of Management and Budget (OMB) is underrepresented for minorities in six EEO-4 categories. OMB has 280 employees and minorities represent 24% of OMB's workforce, the same as in FY21.

Below are observable trends that affect OMB's opportunity to increase diversity in its workforce:

- OMB is underrepresented in the Paraprofessional EEO-4 category by 11%, which is an improvement from last year which was 34%. There are only nine employees, agency-wide for this category with limited turnover. OMB is underrepresented in Officials and Administrators by 11%, which is an improvement from 13% in FY21.
- OMB's applicant pipeline is 35% minority and 52% female. We have made an effort to diversify our applicant pipelines through internships and job shadowing using university outreach and advertised casual/seasonal opportunities.
- OMB has 15 job classifications that are Hard-to-fill. They include Trades Mechanics for the state facilities; Engineers, Construction Project Managers, Master Electricians, HVAC Refrigeration Technicians, and positions requiring a CDL Class A license. A Recruitment and Retention incentive was approved for HVAC/Refrigeration Technicians in New Castle County, but no one has been hired yet.
- OMB continues to partner with the Delaware Department of Labor Apprenticeship program as a registered apprenticeship organization. In FY22, they had seven employees enrolled in the electrical and HVAC disciplines.

In summary, OMB has attempted to improve our applicant pool. This year, we have hired multiple interns in our Financial Operations section. Two have successfully obtained full-time positions. We will also review the requirements for the trades positions and determine if there is an opportunity to create a path from apprenticeship to full-time employment. Additionally, OMB Directors will be hiring at least 2 interns per division in order to initiate cross-training and grow our own knowledge.

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**FY2022 EEO/AA REPRESENTATION SUMMARY**

**OMB Demographics at a Glance:**

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The total number of OMB employees as of June 30, 2022, by EEO-4 category is 280.

The OMB EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the OMB workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing OMB workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. OMB does not hire in the Protective Services EEO-4 Job category.

The following summary of findings were derived from this data:

**Minority Representation:**

- Minorities represent 24% of the total OMB workforce, the same as in FY21.
- Minorities are under-represented in the following EEO-4 categories:
  - Officials & Administrators (-11%)
  - Professionals (-6%)
  - Paraprofessionals (-11%)
  - Office & Clerical (-7%)
  - Skilled Craft (-3%)
  - Service Maintenance (-7%)

**Female Representation:**

- Females represent 54% of the total OMB workforce, a 3% increase from FY21.
- Females are under-represented in the following EEO-4 categories:
  - Paraprofessionals (-10%)
  - Skilled Craft (-3%)
  - Skilled Maintenance (-32%)

**Male Representation:**

- Males represent 46% of the OMB workforce, a 3% decrease from FY21.
- Males are under-represented in the following EEO-4 categories:
  - Officials and Administrators (-30%)
  - Professionals (-10%)
  - Office and Clerical (-26%)

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**FY2022 EEO/AA REPRESENTATION SUMMARY**

**EEO-4 Status Report FY 2022**  
**(Without Casual/Seasonal)**

**Table 1**

EEO-4 CATEGORY	MALE										FEMALE										TOTALS		
	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Males	% of Category Total	Disabled Males	White	Black	Hispanic/ Latino	Asian	Pacific Islander	American Indian	Multi Racial	Total Females	% of Category Total	Disabled Females	Total Employees by Category	Total Minorities by Category	Minority % of Category
1 Officials & Administrators	9	1	1	0	0	0	0	11	25%	1	29	4	0	0	0	0	0	33	75%	0	44	6	14%
2 Professionals	34	4	1	0	0	0	2	41	32%	5	65	20	2	0	0	0	1	88	68%	3	129	30	23%
3 Technicians	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
4 Protective Services	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
5 Para Professional	2	1	0	0	0	0	0	3	33%	0	5	0	0	0	0	0	1	6	67%	1	9	2	22%
6 Office & Clerical	2	0	0	0	0	0	0	2	10%	0	14	5	0	0	0	0	0	19	90%	0	21	5	24%
7 Skilled Craft	32	7	0	0	0	1	2	42	98%	0	1	0	0	0	0	0	0	1	2%	0	43	10	23%
8 Service Maintenance	19	8	0	2	0	0	1	30	88%	0	2	1	0	0	0	0	1	4	12%	1	34	13	38%
<b>Totals</b>	<b>98</b>	<b>21</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>5</b>	<b>129</b>	<b>46%</b>	<b>6</b>	<b>116</b>	<b>30</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>151</b>	<b>54%</b>	<b>5</b>	<b>280</b>	<b>66</b>	<b>24%</b>

**Table 1** illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

*Table 1 data were obtained from the PHRST system as of 06/30/2022.*

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**FY2022 EEO/AA REPRESENTATION SUMMARY**

**Minority Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 2**

EEO-4 CATEGORY	Labor Market %	Minority % of Category	Minority Variance to Labor Market	Comparison to Minority % of Category					
				Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	25%	14%	-11%	11%	2%	0%	0%	0%	0%
2 Professionals	29%	23%	-6%	19%	2%	0%	0%	0%	2%
3 Technicians	38%	0%	NA	0%	0%	0%	0%	0%	0%
4 Protective Services	37%	0%	NA	0%	0%	0%	0%	0%	0%
5 Para Professional	34%	22%	-11%	11%	0%	0%	0%	0%	11%
6 Office & Clerical	31%	24%	-7%	24%	0%	0%	0%	0%	0%
7 Skilled Craft	26%	23%	-3%	16%	0%	0%	0%	2%	5%
8 Service Maintenance	45%	38%	-7%	26%	0%	6%	0%	0%	6%

**Female Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 3**

EEO-4 CATEGORY	Labor Market %	Female % of Category	Female Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	45%	75%	30%	66%	9%	0%	0%	0%	0%	0%
2 Professionals	59%	68%	10%	50%	16%	2%	0%	0%	0%	1%
3 Technicians	50%	0%	NA	0%	0%	0%	0%	0%	0%	0%
4 Protective Services	19%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	77%	67%	-10%	56%	0%	0%	0%	0%	0%	11%
6 Office & Clerical	65%	90%	26%	67%	24%	0%	0%	0%	0%	0%
7 Skilled Craft	6%	2%	-3%	2%	0%	0%	0%	0%	0%	0%
8 Service Maintenance	44%	12%	-32%	6%	3%	0%	0%	0%	0%	3%

**Male Labor Market Representation FY2022**  
**(Including Race and Ethnicity)**

**Table 4**

EEO-4 CATEGORY	Labor Market %	Male % of Category	Male Variance to Labor Market	Comparison to Minority % of Category						
				White	Black	Hispanic/Latino	Asian	Pacific Islander	American Indian	Multi Racial
1 Officials & Administrators	55%	25%	-30%	20%	2%	2%	0%	0%	0%	0%
2 Professionals	41%	32%	-10%	26%	3%	1%	0%	0%	0%	2%
3 Technicians	50%	0%	NA	0%	0%	0%	0%	0%	0%	0%
4 Protective Services	81%	0%	NA	0%	0%	0%	0%	0%	0%	0%
5 Para Professional	23%	33%	10%	22%	11%	0%	0%	0%	0%	0%
6 Office & Clerical	35%	10%	-26%	10%	0%	0%	0%	0%	0%	0%
7 Skilled Craft	94%	98%	3%	74%	16%	0%	0%	0%	2%	5%
8 Service Maintenance	56%	88%	32%	56%	24%	0%	6%	0%	0%	3%

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and [AGENCY] demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.



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**Table 5** **Minority Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Minority Variance of Labor Market	FY21 Minority Variance of Labor Market	FY22 Minority Variance of Labor Market
1 Officials & Administrators	-14%	-14%	-11%
2 Professionals	-5%	-8%	-6%
3 Technicians	33%	13%	0%
4 Protective Services	N/A	N/A	0%
5 Paraprofessional	0%	-34%	-11%
6 Office & Clerical	18%	2%	-7%
7 Skilled Craft	-2%	-5%	-3%
8 Service Maintenance	9%	3%	-7%

**Table 6** **Female Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Female Variance of Labor Market	FY21 Female Variance of Labor Market	FY22 Female Variance of Labor Market
1 Officials & Administrators	16%	22%	30%
2 Professionals	17%	10%	10%
3 Technicians	6%	17%	0%
4 Protective Services	N/A	N/A	0%
5 Paraprofessional	-12%	3%	-10%
6 Office & Clerical	25%	21%	26%
7 Skilled Craft	-2%	-4%	-3%
8 Service Maintenance	-37%	-35%	-32%

**Table 7** **Male Representation Trends FY20, 21, 22**

EEO-4 CATEGORY	FY20 Male Variance of Labor Market	FY21 Male Variance of Labor Market	FY22 Male Variance of Labor Market
1 Officials & Administrators	-16%	-22%	-30%
2 Professionals	-17%	-10%	-10%
3 Technicians	-6%	-17%	0%
4 Protective Services	N/A	N/A	0%
5 Paraprofessional	12%	-3%	10%
6 Office & Clerical	-25%	-21%	-26%
7 Skilled Craft	2%	4%	3%
8 Service Maintenance	37%	35%	32%

**Tables 5, 6, and 7** illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

*Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022*

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**SECTION V: COMPLAINTS**

Table 8

<b>Total Complaints by Gender</b>		<b>Total Complaints by Type</b>	
<b>YTD</b>		<b>YTD</b>	
Male	1	ADA	0
Woman	0	Discrimination	0
Non-Binary	0	Gender	0
Not Identified	0	Generic Issue	0
<b>Total</b>	<b>1</b>	Harassment	0
<b>Total Complaints by Race/Ethnicity</b>		Hostile Work Environment	0
<b>YTD</b>		Merit Rule	1
Black - African American	1	Misconduct	0
Asian	0	Retaliation	0
Hispanic/Latinx	0	Sexual Harassment	0
Native American/Alaskan Native	0	Workplace Violence	0
Not identified	0	<b>Total</b>	<b>1</b>
Pacific Islander/Native Hawaiian	0	<b>Total Complaints by Current Status</b>	
Two or more races	0	<b>YTD</b>	
White	0	Open	0
<b>Total</b>	<b>1</b>	Closed	1
<b>Total Complaints by Employment Status</b>		<b>Total</b>	<b>1</b>
<b>YTD</b>		<b>Total Complaints by Resolution</b>	
Merit	1	<b>YTD</b>	
Non-Merit Exempt	0	To be Determined	0
Casual/Seasonal	0	Substantiated	0
Temp/Contract	0	Unsubstantiated	1
<b>Total</b>	<b>1</b>	<b>Total</b>	<b>1</b>
<b>Total Complaints by Category</b>			
<b>YTD</b>			
Informal	0		
Formal	1		
External	0		
<b>Total</b>	<b>1</b>		

**Table 8** illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

Table 8 data were obtained from agency internal records during FY22.

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**SECTION VI: EMPLOYEE ACTIONS**

**Table 9**

TYPE	2021		2022		PERCENT CHANGE
	Total	Percent	Total	Percent	
<b>DISCIPLINES</b>					
Total Female Non-Minority Disciplines	4	57%	2	0%	-50%
Total Female Minority Disciplines	0	0%	0	0%	0%
Total Male Non-Minority Disciplines	3	43%	2	0%	-33%
Total Male Minority Disciplines	0	0%	1	0%	0%
<b>Total Disciplines</b>	<b>7</b>	<b>100%</b>	<b>5</b>	<b>0%</b>	<b>-29%</b>
<b>SEPARATIONS</b>					
Total Female Non-Minority Separations	6	22%	13	36%	54%
Total Female Minority Separations	4	15%	3	8%	-25%
Total Male Non-Minority Separations	14	52%	12	33%	-14%
Total Male Minority Separations	3	11%	8	22%	63%
<b>Total Separations</b>	<b>27</b>	<b>100%</b>	<b>36</b>	<b>100%</b>	<b>25%</b>
<b>NEW HIRES</b>					
Total Female Non-Minority New Hires	15	44%	31	44%	52%
Total Female Minority New Hires	4	12%	10	14%	60%
Total Male Non-Minority New Hires	10	29%	20	29%	50%
Total Male Minority New Hires	5	15%	9	13%	44%
<b>Total New Hires</b>	<b>34</b>	<b>100%</b>	<b>70</b>	<b>100%</b>	<b>51%</b>
<b>PROMOTIONS</b>					
Total Female Non-Minority Promotions	22	65%	24	51%	8%
Total Female Minority Promotions	3	9%	9	19%	67%
Total Male Non-Minority Promotions	7	21%	10	21%	30%
Total Male Minority Promotions	2	6%	4	9%	50%
<b>Total Promotions</b>	<b>34</b>	<b>100%</b>	<b>47</b>	<b>100%</b>	<b>28%</b>

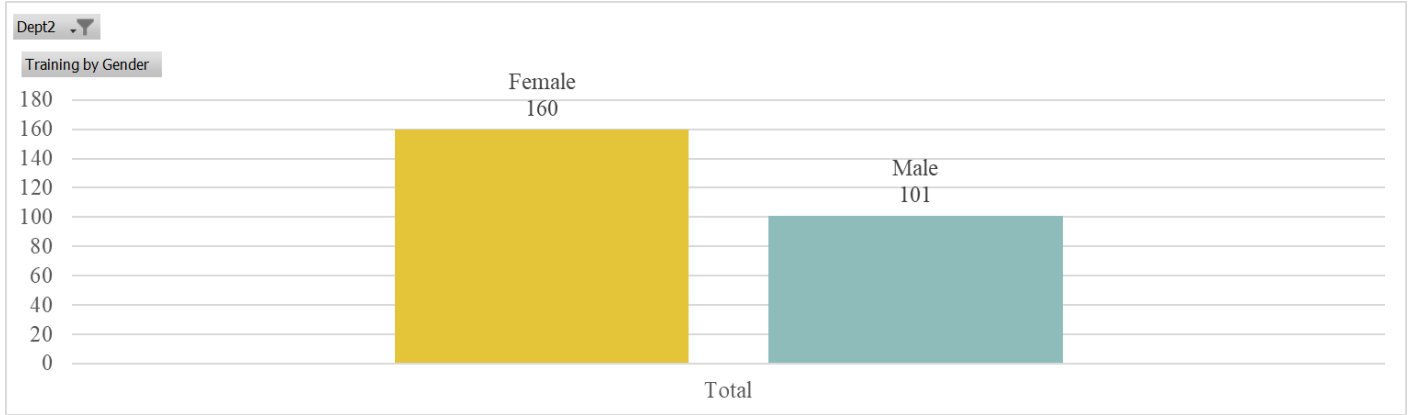
**Table 9** displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

*Table 9 data were obtained from the PHRST system as of 06/30/2022.*

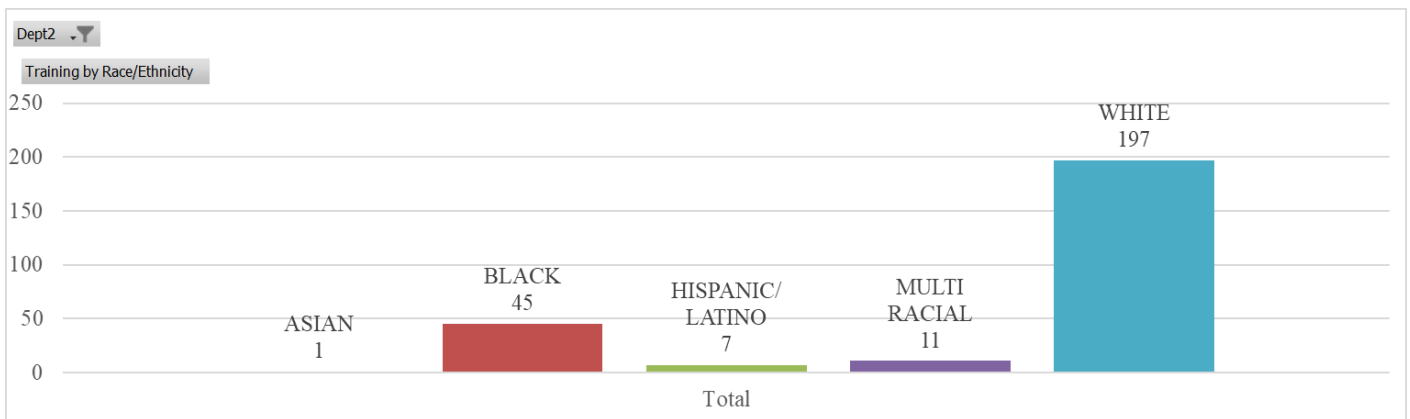
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**SECTION VII: EMPLOYEE ENGAGEMENT**

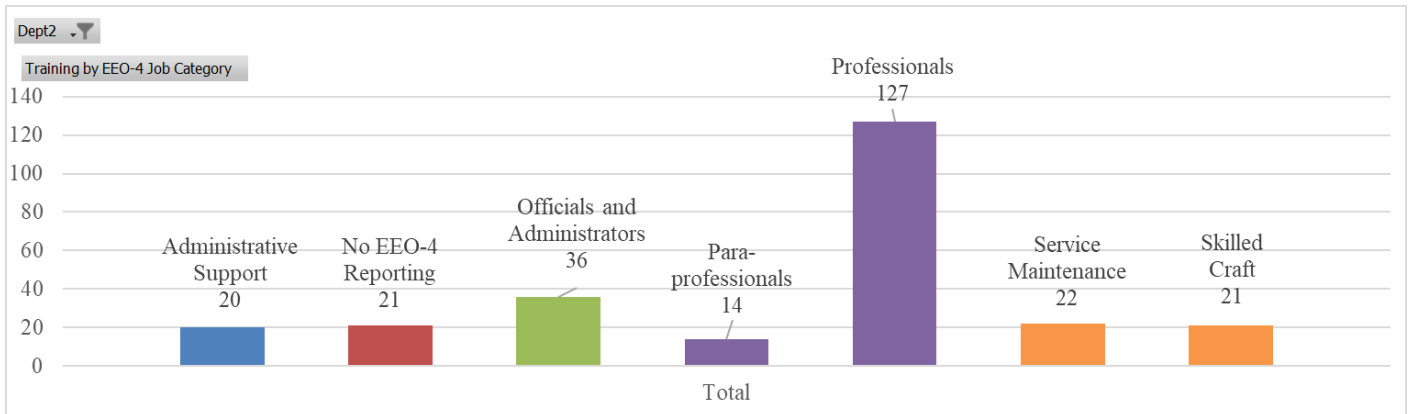
**Figure 10 Training by Gender**



**Training by EEO-4 Job Category**



**Figure 12 Training by EEO-4 Job Category**



**Figures 10-12** display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

*Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.*

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**Table 13**

<b>TUITION REIMBURSEMENT SUMMARY</b>	
	<b>Number</b>
Total Non-Minority Female	2
Total Minority Female	0
Total Non-Minority Male	0
Total Minority Male	0
<b>Total Employees Requesting Tuition Reimbursement</b>	<b>2</b>

**Table 13** displays the total number of employees receiving tuition reimbursement by gender and minority status.

*Table 13 data were obtained from agency internal records during FY22.*

**Table 14**

<b>DISABILITIES SUMMARY</b>	
	<b>Number</b>
Total Employees Self-Identified or Disclosed Disabled	11
Total Requests for Accommodations	3
Total Requests Accommodated	3
Total Selective Placement Candidates Interviewed	0
Total Selective Placement Candidates Hired	0

**Table 14** displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program

*Table 14 data were obtained from the PHRST system as of 06/30/2022.*

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**Table 15**

EXIT SURVEY SUMMARY						
	EXCELLEN	GOOD	AVERAGE	BELOW	POOR	TOTAL
Agency as a place to work	21%	50%	14%	0%	14%	100%
	3	7	2	0	2	14
Opportunity for advancement or promotion	3%	13%	20%	27%	27%	90%
	2	2	3	4	4	15
Recognition of accomplishments/contributions	20%	27%	33%	13%	7%	100%
	3	4	5	2	1	15
Relationships with co-workers	67%	20%	7%	0%	7%	100%
	10	3	1	0	1	15
Relationship with your manager/supervisor	33%	13%	13%	20%	20%	100%
	5	2	2	3	3	15
Agency commitment to quality and customer service	33%	33%	20%	7%	7%	100%
	5	5	3	1	1	15
Work area tools available to perform the functions of your job	33%	40%	7%	13%	7%	100%
	5	6	1	2	1	15
Performance goals were clear and you knew what was expected of you in your job	33%	47%	0%	7%	13%	100%
	5	7	0	1	2	15
Training and development needs were assessed and met	20%	27%	27%	13%	13%	100%
	3	4	4	2	2	15
Benefits package	47%	47%	7%	0%	0%	100%
	7	7	1	0	0	15
Compensation	20%	20%	20%	27%	13%	100%
	3	3	3	4	2	15
Family-Friendly Workplace	47%	33%	7%	13%	0%	100%
	7	5	1	2	0	15

**Table 15** illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

*Table 15 data were obtained from the employee responses provided on an online survey during FY22.*

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**SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)**

**Table 16**

HARD-TO-FILL VACANCIES							
Vacancies (as of 6/30/21)	Vacancies (as of 6/30/22)	Job Code	Job Title	Total # Positions	Vacancy Rate FY 21	Vacancy Rate FY 22	% change FY22 vs FY21
0	0	MFBZ02	Building Support Systems Engineer	3	0%	0%	0%
0	0	MFBZ03	Chief of Engineering & Operations	2	0%	0%	0%
1	2	MFGA01	Construction Project Manager	7	14%	29%	50%
2	3	MCCZ16	HVAC/Refrigeration Technician	11	18%	27%	33%
1	1	MCCZ27	Master Electrician	5	20%	20%	0%
0	0	MCCK05	Physical Plant Maintenance Foreman	2	0%	0%	0%
0	0	MCCK03	Physical Plant Maintenance Trades Mechanic II	2	0%	0%	0%
3	4	MCCK04	Physical Plant Maintenance Trades Mechanic III	15	20%	27%	25%
4	5	MCCK09	Physical Plant Maintenance Trades Technician	10	40%	50%	20%
0	0	MADA04	Senior Application Support Specialist	2	0%	0%	0%

**Table 17**

HARD-TO-FILL APPLICANT PIPELINE						
Job Code	Job Title	# Times Posted in FY22	Total # Aps Received	Average # Aps Received	Total # Aps Qualified	Average # Aps Qualified
MFBZ02	Building Support Systems Engineer	1	0	0	0	0
MFBZ03	Chief of Engineering & Operations	2	10	5	5	3
MFGA01	Construction Project Manager	4	68	17	20	5
MCCZ16	HVAC/Refrigeration Technician	2	11	6	0	0
MCCZ27	Master Electrician	1	2	2	0	0
MCCK05	Physical Plant Maintenance Foreman	N/A				
MCCK03	Physical Plant Maintenance Trades Mechanic II	N/A				
MCCK04	Physical Plant Maintenance Trades Mechanic III	1	1	1	0	0
MCCK09	Physical Plant Maintenance Trades Technician	2	7	4	0	0
MADA04	Senior Application Support Specialist	N/A				

**Tables 16 and 17** display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

*Table 16 data were obtained from the PHRST system as of 06/30/2022.*

*Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Table 18**

Turnover by Division				
Dept ID	Division	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
100205050	OMB/Administration	0%	9%	9%
100210100	OMB/Budget Devlpmnt & Plann	14%	14%	0%
100232320	OMB/Pensions	9%	8%	-1%
100240400	OMB/Mail/Courier Services	13%	0%	-13%
100242420	OMB/Fleet Management	12%	20%	8%
100244440	OMB/Contracting	9%	9%	0%
100245450	OMB/Del Surplus Services	29%	33%	4%
100246460	OMB/Food Distribution	N/A	0%	N/A
100247470	Office of Mgmt & Budget/PHR	N/A	12%	N/A
100250500	OMB/Facilities Management	N/A	16%	N/A
<b>Department Average</b>		<b>12%</b>	<b>12%</b>	<b>1%</b>

**Table 19**

Turnover by Hard-to-Fill Jobs				
Job Code	Job Title	Turnover Rate FY21	Turnover Rate FY22	% Change FY22 vs FY21
MFBZ02	Building Support Systems Engineer	0%	0%	0%
MFBZ03	Chief of Engineering & Operations	0%	0%	0%
MFGA01	Construction Project Manager	17%	11%	-6%
MCCZ16	HVAC/Refrigeration Technician	0%	0%	0%
MCCZ27	Master Electrician	22%	18%	-4%
MCCK05	Physical Plant Maintenance Foreman	0%	12%	12%
MCCK03	Physical Plant Maintenance Trades Mechanic II	0%	0%	0%
MCCK04	Physical Plant Maintenance Trades Mechanic III	9%	0%	-9%
MCCK09	Physical Plant Maintenance Trades Technician	15%	0%	-15%
MADA04	Senior Application Support Specialist	0%	80%	80%

**Tables 18 and 19** display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

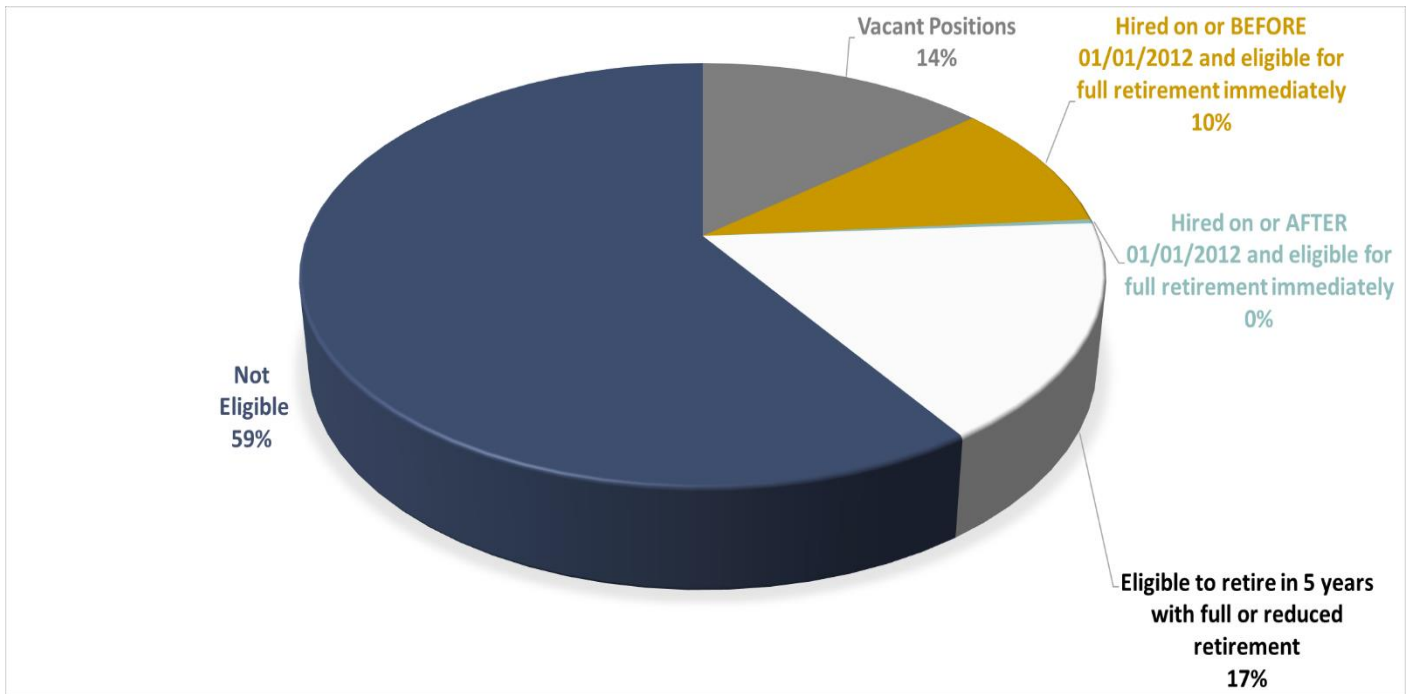
*Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.*



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**RETIREMENT ELIGIBILITY BREAKDOWN - FY22**

**Figure 20**



**Figure 20** illustrates the percentage of positions based on their retirement eligibility status.

*Figure 20 data were obtained from the PHRST system as of 06/30/2022.*

**Retirement Eligible Criteria: \*\***

*Employees Initially hired prior to January 1, 2012*

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

*Employees Initially hired on or after January 1, 2012*

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

\*\*Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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**RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022**

**Table 21**

<b>PHRST</b>						
Total # Positions	Filled Positions	Vacant Positions	Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately	Hired on or AFTER 01/01/2012 and eligible for full retirement immediately	Eligible to retire in 5 years with full or reduced retirement	Not Eligible
45	43	2	5	0	14	24
<b>Administration</b>						
25	20	5	3	0	6	11
<b>Budget Development and Planning</b>						
26	22	4	3	0	7	12
<b>Contracting</b>						
24	23	1	1	0	3	19
<b>Surplus Services</b>						
4	4	0	1	0	0	3
<b>Facilities Management</b>						
90	67	23	11	0	0	56
<b>Fleet Management</b>						
28	27	1	4	1	8	14
<b>Food Distribution</b>						
9	5	4	2	0	0	3
<b>Pensions</b>						
66	61	5	2	0	16	43
<b>Courier Services</b>						
8	8	0	0	0	0	8
<b>Office of Management and Budget Totals</b>						
325	280	45	32	1	54	193

**Table 21** illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

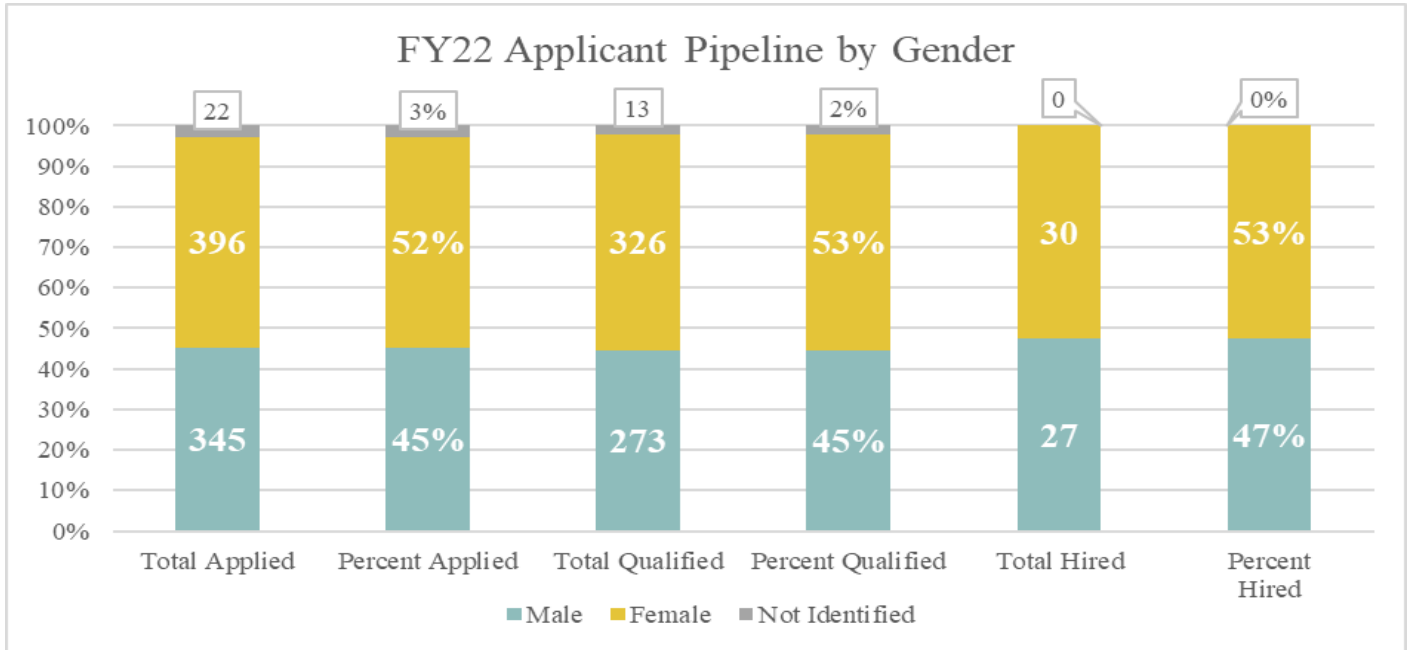
Table 21 data were obtained from the PHRST system as of 06/30/2022.

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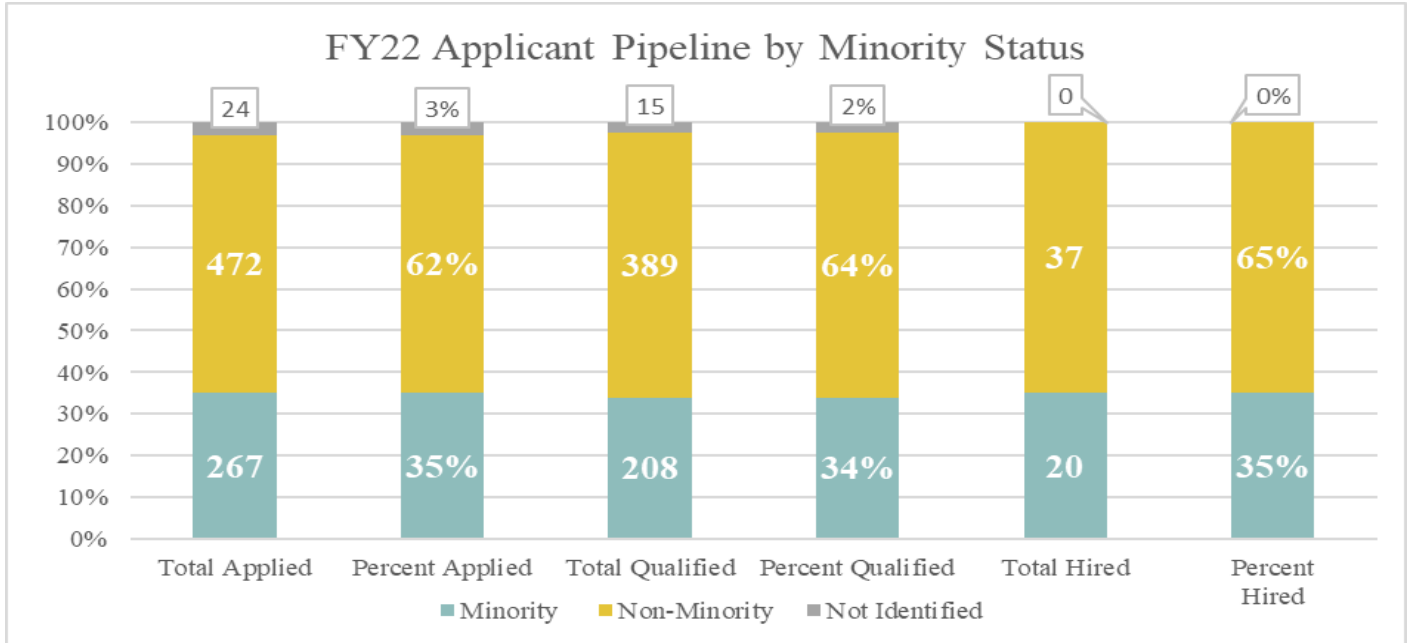
**Applicant Pipeline**

In FY22, 763 people applied online to OMB jobs, a 35% decrease from FY21 in which 1,176 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

**Figure 22**



**Figure 23**



**Figures 22 and 23** illustrate the total applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at [statejobs.delaware.gov](http://statejobs.delaware.gov), by minority vs. non-minority and gender. Further illustrated are the total applicants who were found qualified and hired, also by minority vs. non-minority and gender.

*Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**Recruitment and Hiring Times**

**Table 24**

Fiscal Year	Average Time-to-Fill (days)	Average Time-to-Hire (days)
FY21	77	57
FY22	67	48
Change FY21 vs FY22	-10	-9

**Table 25**

Fiscal Year	Average Time Req-to-Open (days)	Average Time Closing Date-to-Referral (days)
FY21	3	3
FY22	5	2
Change FY21 vs FY22	2	-1

**Table 24** illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager’s effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

**Table 25** illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR’s effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

*Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.*

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**SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)**

**STRATEGIC PRIORITY (SP-1)**

**Workplace Environment, Climate, and Culture**

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-1 Goal 1	Continue to create meaningful engagement opportunities in a remote/hybrid work environment, ensuring that agency employees feel welcome, engaged, and part of a team driving the mission of OMB.	New employees report they feel welcome, understand the central service role that OMB plays, and feel comfortable reaching out to members of the senior leadership team with their ideas, thoughts, and suggestions.	Directors and Employee Recognition Committee	Creating meaningful engagement opportunities in a remote/hybrid work environment, ensuring that agency employees feel welcome, engaged, and part of a team driving the mission of OMB.	Ongoing

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**STRATEGIC PRIORITY (SP-2)**

**Management and Supervisory Effectiveness**

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition. \*

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-2 Goal 1	Participate in maintenance reviews and the review of current classifications for possible reclassification to ensure appropriate work and pay.	Completion of the scheduled systemic review within the prescribed classification system structure.  Support retention efforts.	Human Resources, Deputy Director, OMB, and Directors	Department of Human Resources	Ongoing review-based on operational need.

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**STRATEGIC PRIORITY (SP-3)**

**Professional Development, Education, and Awareness**

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities\*.

*\* At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

<b>Strategic Priority</b>	<b>Objective</b>	<b>Measures of Success/Key Results</b>	<b>Responsible Group</b>	<b>Resources</b>	<b>Target Date to Launch</b>
SP-3 Goal 1	Provide Leadership Programs	Enrollment of at least one employee into leadership programs.	Directors, Deputy Director, and Human Resources.	Program and funding availability.	Launched - received confirmation in August 2022 that two female supervisors were accepted into the University of Delaware leadership program.
SP-3 Goal 2	Hire students for fiscal training.	100% of student interns complete employment with the ability to use First State Financials.	Applicable Director	Position and funding availability.	Financial Operations has hired six interns and is advertising an opportunity currently to hire additional interns during the school year.
SP-3 Goal 3	Hire students for human resource training.	100% of student interns complete employment with the ability to use PHRST and DEL.	Human Resources Administrator	Position and funding availability.	OMB/DHR Human Resource office is currently hosting an intern from Delaware State University.



**EXECUTIVE ORDER  
NUMBER THIRTY**

**TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES**

**RE: DELAWARE'S CONTINUING COMMITMENT TO RESPECTFUL  
WORKPLACE**

**WHEREAS**, the State of Delaware is committed to promoting equal employment opportunities and a respectful workplace free of unlawful discrimination; and

**WHEREAS**, Delaware law, Executive Order and/or Merit Rules prohibit discrimination in State employment based on unlawful treatment of an individual on the basis of a person's race, color, national origin, gender, age, sex, pregnancy, marital status, sexual orientation, gender identity or expression, religion, creed, genetic information, disability, veteran's status, family responsibility, status as a victim of domestic violence, sexual assault and/or stalking, or other category protected by statute and/or federal laws; and

**WHEREAS**, the State of Delaware remains committed to maintaining a high quality diverse workforce that draws upon the talents of our citizenry to operate our government effectively and efficiently; and

**WHEREAS**, a uniform anti-discrimination policy and consistent, regular training promote safe and healthy environments for State employees.

**NOW, THEREFORE, I, JOHN C. CARNEY**, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby **DECLARE** and **ORDER** that:

1. The State of Delaware's commitment to a safe and respectful workplace is hereby affirmed and heads of each Department and Agency within the Executive Branch (collectively "Executive Branch Agencies") are directed to diligently pursue compliance with the laws prohibiting discrimination and harassment.
2. The Department of Human Resources (DHR) shall promote and provide education to foster an awareness and understanding of the various laws, regulations and policies regarding nondiscrimination.
3. DHR shall create a statewide anti-discrimination policy, in accordance with State and Federal laws, which will be the controlling standard for all Executive Branch Agencies. This uniform policy shall include statewide anti-discrimination guidelines and complaint



procedures (including a process to report and investigate complaints) to be followed by each Executive Branch Agency.

4. Executive Branch Agencies shall distribute the uniform policy to all employees and to all contractors and other non-employees working at their agency within thirty (30) calendar days of issuance of this Order.
5. Training of the policy shall be provided for all employees and supervisors in accordance with Delaware law.
6. The uniform policy shall be posted by each agency in conspicuous locations and online.
7. This Executive Order directs that each Executive Branch Agency shall maintain and implement an Equal Employment Opportunity/Affirmative Action Plan ("EEO/AA Plan"), in a form prescribed by DHR, which shall be filed annually with DHR on or before September 15<sup>th</sup> in compliance with Federal and State laws, this Order, and State guidelines. DHR shall submit the EEO/AA Plan to the Governor no later than December 31<sup>st</sup>.
8. Executive Order Eight, dated August 11, 2009, and Executive Order Six, dated March 1, 2017, are hereby rescinded.
9. This Order shall apply to all Cabinet Departments and Executive Agencies of the State. The members of the General Assembly and the Judiciary are also encouraged to adopt this Order.
10. No provision of this Order is intended to or shall create any individual right or legal cause of action that does not already exist under state or federal law.



APPROVED this 21<sup>st</sup> day of February, 2019.

  
\_\_\_\_\_  
John C. Carney  
Governor

ATTEST:

  
\_\_\_\_\_  
Secretary of State

## DESCRIPTION OF EEO-4 JOB CATEGORIES

**Officials – Administrators:** Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, wardens, superintendents, sheriffs, police and fire chiefs and inspectors, examiners (bank, hearing, motor vehicle, warehouse), inspectors (construction, building, safety, rent-and-housing, fire, A.B.C. Board, license, dairy, livestock, transportation), assessors, tax appraisers and investigators, coroners, farm managers, and kindred workers.

**Professionals:** Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, librarians, management analysts, airplane pilots and navigators, surveyors and mapping scientists, and kindred workers.

**Technicians:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers, drafters, survey and mapping technicians, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences), police and fire sergeants, inspectors (production or processing inspectors, testers and weighers), and kindred workers.

**Protective Service:** Occupations in which workers are entrusted with public safety, security and protection from destructive forces. Includes: police patrol officers, firefighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, game and fish wardens, park rangers (except maintenance), and kindred workers.

**Paraprofessionals:** Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a New Careers concept. Included: research assistants, medical aides, child support workers, policy auxiliary welfare service aides, recreation assistants, homemaker aides, home health aides, library assistants and clerks, ambulance drivers and attendants, and kindred workers.

**Administrative Support:** Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, clerk-typists, stenographers, court transcribers, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, office machine and computer operators, telephone operators, legal assistants, sales workers, cashiers, toll collectors, and kindred workers.

**Skilled Craft:** Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, power plant operators, water and sewage treatment plant operators, and kindred workers.

**Service – Maintenance:** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry-cleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners and groundskeepers, refuse collectors, construction laborers, park rangers (maintenance), farm workers (except managers), craft apprentices/trainees/helpers, and kindred workers.

# **END OF REPORT**

*Questions or inquiries regarding the content of this report may be directed to Blaise Belfiore, Human Resources Manager I, Department of Human Resources, Office of Diversity and Inclusion at (302) 672-5255 or email [blaise.belfiore@delaware.gov](mailto:blaise.belfiore@delaware.gov).*