

Equal Employment Opportunity and Affirmative Action Professional Procedure Manual

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*Attachments also available in WORD/EXCEL format on the Department of Administration (DOA),
Division of Personnel Management (DPM), Bureau of Equity and Inclusion (BEI) website.*

I Introduction

The purpose of this procedure manual is to provide standards for the Equal Employment Opportunity (EEO) and Affirmative Action (AA) programs within Wisconsin state government agencies. This document outlines the roles and responsibilities for EEO/AA and will help agencies build, produce, implement and manage their EEO program certification requirements, and AA Plan.

To achieve the goals of EEO, Wisconsin state government is committed to providing a workforce that reflects the population it serves. Employment discrimination is prohibited based on, but not limited to race, ethnicity, color, national origin, ancestry, gender, age, disability, religion, creed, marital status, sexual orientation, political affiliation, membership in the armed forces. Wisconsin state government ensures equal opportunity in its merit-based recruitment and selection system by taking affirmative action in cases where the state workforce has been historically underutilized for specific target groups.

II Statutory and Rule Authority

Wisconsin Administrative Code Chapter ER 43, Affirmative Action and Equal Opportunity, s. 111.31(1) Wis. Stats., Chapter 800 - Equal Employment Opportunity (EEO) Programs and Affirmative Action (AA) Planning Standards, of the *Wisconsin Human Resources Handbook*, and parts of Wis. Stats. 230 direct action items for the administrator of the Division of Personnel Management (DPM) in the Department of Administration (DOA) regarding EEO/AA. DPM complies with these directives by requiring information, reports, AA plans and EEO certification from agencies.

III Definitions

Administrator means the administrator of the division of personnel management in the department of administration.

Adverse Impact means an employment policy, practice, or procedure has adverse impact if it results in the disqualification of affirmative action group members at a significantly greater rate than members of other groups. The enforcement agencies will generally regard a selection rate for any group which is less than four-fifths (4/5) or 80% of the rate for other groups as constituting evidence of adverse impact.

Affirmative action means specific actions in employment which are designed and taken for the purposes of all of the following:

- (a) Ensuring equal opportunities.
- (b) Eliminating a substantial disparity between the proportion of members of racial and ethnic, gender or disabled groups either in job groups within the classified civil service, or in similar functional groups in the unclassified service, and the proportion of members of racial and ethnic, gender or disabled groups in the relevant labor pool.
- (c) Eliminating present effects of past discrimination.

s. 230.03(2), Wis. Stats.

Affirmative action group means one or more of the following:

- (a) Racial or ethnic groups.
- (b) Gender groups.
- (c) Disability groups.

Affirmative Action Officer means the staff person designated by the appointing authority to advise and assist in establishing programs to ensure appropriate equal employment opportunity and affirmative action in each agency.

Affirmative action program means specific results oriented standards, procedures and initiatives designed to ensure equal employment opportunity and to eliminate present effects of past discrimination. s. ER 43.02(2m), Wis. Adm. Code

Agency means... "[A]ny board, commission, committee, council, or department in state government or a unit thereof created by the constitution or statutes if such board, commission, committee, council, department, unit, or the head thereof, is authorized to appoint subordinate staff by the constitution or statute, except a legislative or judicial board, commission, committee, council, department, or unit". s. 230.03(3), Wis. Stats.

Appointing authority means the chief administrative officer of an agency unless another person is authorized to appoint subordinate staff in the agency by the constitution or statutes. s. 230.03(4), Wis. Stats.

Client means any individual or organization receiving services or financial assistance from an agency. s. ER 43.02(4), Wis. Adm. Code

Director means the director of the bureau of merit, recruitment and selection in the division.

Disability groups means one or more of the following:

(a) Individual with a disability means:

1. Have a physical or mental impairment which makes achievement unusually difficult or limits the capacity to work;
2. Have a record of such an impairment; or
3. Are perceived as having such an impairment.

(b) Individual with a severe disability means an employee in the classified service with a chronic disability if the chronic disability meets all of the following conditions:

1. It is attributable to a mental or physical impairment or combination of mental and physical impairments.
2. It is likely to continue indefinitely.
3. It results in substantial functional limitations in one or more of the following areas of major life activity: self-care; receptive and expressive language; learning; mobility; capacity for independent living; and economic self-sufficiency.

(c) Disabled Veteran means a veteran who has a service-connected disability.

Division means the division of personnel management in the department of administration. s. 230.03(2), Wis. Stats.

Employee or state employee means an employee of an agency, to include permanent, project, limited term and interns.

Equal opportunity means the absence of discrimination in employment or in provision of services to clients. s. ER 43.02(5), Wis. Adm. Code

Equal Employment Opportunity Professional means any Human Resources (HR) employee with training in responding to agency EEO issues or requests, to include, EEO harassment, reasonable accommodation, discrimination, diversity, and affirmative action.

Gender group, when used in connection with affirmative action under this chapter means females. This does not include groups discriminated against because of sexual orientation, as defined in s. 111.32 (13m).

Job group means a set of classifications combined by the office on the basis of similarity in responsibility, pay range and nature of work. s. 230.03(10r) Wis. Stats.

Racial or Ethnic Groups mean American Indian or Alaskan Native, Asian, African American or Black, Hispanic or Latino, Native Hawaiian or other Pacific Islander, and White; defined as follows:

- (a) "Hispanic or Latino" means persons of Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin regardless of race.
- (b) "White (Non Hispanic or Latino)" means persons having origins in any of the original peoples of Europe, the Middle East or North Africa.
- (c) "African American or Black (Non Hispanic or Latino)" means persons having origins in any of the black racial groups of Africa.
- (d) "Asian (Non Hispanic or Latino)" means persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.
- (e) "Native Hawaiian or other Pacific Islander (Non Hispanic or Latino)" means persons having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- (f) "American Indian or Alaskan Native (Non Hispanic or Latino)" means persons having origins in any of the original peoples of North or South America (including Central America), and who maintain tribal affiliation or community attachment.

Sexual orientation means having a preference for heterosexuality, homosexuality or bisexuality, having a history of such a preference or being identified with such a preference. s. 111.32(13m), Wis. Stats.

Underutilization: Occurs when the percentage of racial/ethnic minorities or women in a job group is below the availability of those groups in the relevant labor pool.

Veteran means any of the following:

- (a) A person who served on active duty under honorable conditions in the U.S. armed forces and who was entitled to receive any of the following:
 - 1. The armed forces expeditionary medal established by executive order 10877 on December 4, 1961.
 - 2. The Vietnam service medal established by executive order 11231 on Jul 8, 1965.
 - 3. The navy expeditionary medal.
 - 4. The marine corps expeditionary medal.
- (b) A person who served on active duty under honorable conditions in the U.S. armed forces in a crisis zone, as defined in s. 45.01(11), Wis. Stats.
- (c) A person who served on active duty under honorable conditions in the U.S. armed forces for at least one day during a war period, as defined in s. 45.01 (13), Wis. Stats., or under section 1 of executive order 10957 dated August 10, 1961.
- (d) A person who served on active duty under honorable conditions in the U.S. armed forces for 2 continuous years or more or the full period of the person's initial service obligation, whichever is less. A person discharged from the U.S. armed forces for reasons of hardship or a service-connected disability or a person released due to a reduction in the U.S. armed forces prior to the completion of the required period of service shall also be considered a "veteran" regardless of the actual time served.

IV Underutilization

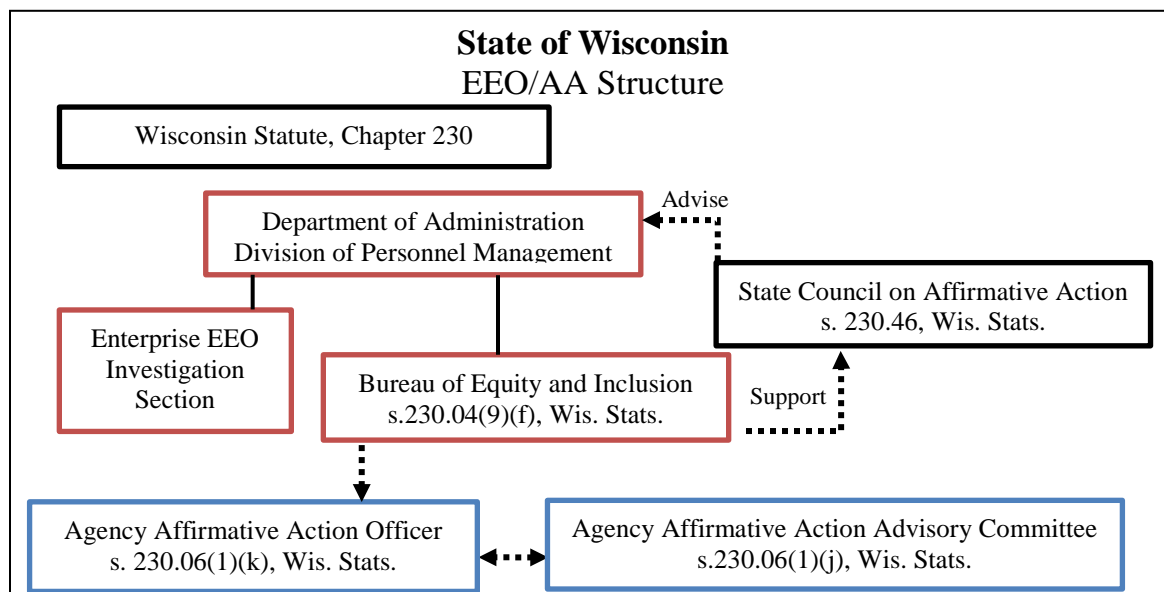
To ensure fairness and equal employment opportunity in the state civil service, state statutes require a workforce analyses to assess if affirmative action groups are equitably represented in the state civil service. When the workforce in the state civil service is statistically significantly lower than the available labor market for women, racial/ethnic minorities and/or people with disabilities, this is referred to as underutilization. When underutilization occurs, affirmative action is a tool used to address disparities.

Underutilization is determined by using a statistical methodology comparing the composition of the current workforce with the relevant labor market pool for the affirmative action groups for each job

group. Wisconsin state civil service incorporates utilization analyses for each job group by examining statewide and regional data for each agency. A job group is formed by a cluster of classifications. These classifications are combined together logically as a group by factors such as similar functions, duties, responsibilities, knowledge, training requirements, pay range, promotional opportunities and nature of work. The relevant labor market pool is an estimate of the percentage of affirmative action groups having the requisite skills, experience and training in the geographical area from which recruitment of applicants could be reasonably expected. The factors affecting the relevant labor market pool include college graduates, census, and applicant data. Each job group may have a different labor market pool. For a regional job group, applicants tend to come from a local geographical recruitment area. For a statewide job group, applicants tend to come from all parts of the state as well as the nation.

V EEO/AA Structure

The EEO/AA structure in the Wisconsin civil service is governed by Wisconsin Statute Chapter 230, which places the authority and responsibility to the DOA Division of Personnel Management (DOA DPM) to establish and promulgate personnel rules, standards and procedures to ensure EEO/AA throughout the state civil service system. The Bureau of Equity and Inclusion (BEI) was created to advise and assist the DOA DPM Administrator to ensure EEO/AA in the system. With the assistance of the Affirmative Action Officer (AAO) and the Affirmative Action Advisory Committee (AAAC) in each respective agency, the appointing authority for each agency is also responsible for achieving and supporting the state EEO/AA mission. The State Council of Affirmative Action (SCAA) provides another channel for citizen input to assist the DOA DPM Administrator's EEO/AA roles and responsibilities throughout the state civil service.



VI EEO/AA Programs and Reports

1. Overview of Affirmative Action Programs

Affirmative Action programs are recruitment and hiring efforts which assist agency workforces to mirror the overall labor pool of qualified candidates from which it draws its applicants. These recruitment and hiring efforts target qualified members of the labor pool who have historically been discriminated against because of race, gender, veteran or disability status. There is a growing recognition that a diverse workforce is good business, and adds a variety of backgrounds, ideas and viewpoints which increase the overall quality of work performed. A diverse, representative workforce in state government should be reflective of the people it serves.

Expanded Certification Program – Expanded certification is a statewide affirmative action program used to address the issues of workforce underutilization. It ensures equal opportunity for racial/ethnic minorities, women, veterans and persons with disabilities when they are substantially underutilized in the state workforce. The expanded certification program allows the Division of Personnel Management, Bureau of Merit Recruitment and Selection (BMRS) to include names of qualified women or racial/ethnic minorities, veterans, spouses of certain veterans and persons with a disability to the certified list when appropriate. (See Chapter 212 – Certification Procedures, of the *Wisconsin Human Resources Handbook*.)

Noncompetitive appointment for certain disabled veterans - Qualified veterans with a 30% or more service-connected disability are eligible for non-competitive appointment to permanent positions in classified civil service under s. 230.275, Wis. Stats.

Enterprise Recruiting Program – This program was established to help create a diverse, highly qualified group of affirmative action targeted applicants (racial/ethnic minorities, women, veterans and persons with disabilities) for all positions.

Summer Affirmative Action Internship Program (SAAIP) – The Summer Affirmative Action Internship Program places well qualified, diverse students in intern positions within state agencies. SAAIP assists state agencies in promoting equal employment opportunity by providing them with a pool of racial/ethnic minorities, women, veterans and students with disabilities. The program provides students with practical, on-the-job experience, training, and exposure to employment with the State of Wisconsin. The DPM Outreach Services Section conducts targeted recruitment, coordinates the referral process, provides technical assistance, and sponsors the SAAIP Employment Seminar for student participants.

Underutilization Analysis – Underutilization analysis is fundamental in affirmative action planning for Wisconsin state government. A finding of underutilization is considered evidence of an imbalance in the racial/ethnic and/or gender composition of employees in a particular job category. Underutilization is determined by comparing the percentage of racial/ethnic minorities and women in a job group with the percentage of those groups in the relevant labor pool. If the percentage of racial/ethnic minority or women employees is substantially lower than their percentage in the relevant labor pool (less than 80%), the job group is underutilized for racial/ethnic minorities and/or women.

Veteran Employment Plan of Action – Appointing authorities for each agency are required to create and implement a plan to employ veterans, and veterans with service-connected disabilities, at a ratio equal to or greater than the state civilian labor force, as determined by the Wisconsin Council on Veterans Employment (Council).

Wisconsin Works (W-2) Program – Each agency with more than 100 authorized permanent full-time equivalent positions must prepare and implement an annual plan of action to employ persons who, at the time of certification receive aid or benefits from the state. BEI monitors and reports on progress made in this area.

2. Overview of Equal Employment Opportunity Programs

Wisconsin state government provides equal employment opportunities by ensuring that all employment actions are based on the ability of an individual to perform the duties and responsibilities of the position. Equal opportunity ensures compliance with nondiscrimination laws.

EEO/AA Professional Executive Committee – The Executive Committee represents the interests of all state agency EEO/AA professionals by providing advice and guidance to BEI with respect to matters involving affirmative action, equal employment opportunity and workforce diversity programs and services. The Executive Committee advocates for the adoption of policies,

management practices, and programs that encourage and support the active recruitment and retention of racial/ethnic minorities, women, veterans and persons with disabilities.

EEO/AA Planning – All state agencies with 30 or more permanent classified employees are required to prepare Affirmative Action Plans. The plans are intended to assist in ensuring equal employment opportunities and eliminating the present effects of past discrimination for racial/ethnic minorities, women, veterans and persons with disabilities in each agency.

EEO/AA Program Certification – BEI requires that state agencies meet all the eligibility criteria to attain program certification. These criteria include: appointment of an AA Officer; recruitment and selection process; creation of an AA Advisory Committee; policies on interview panel, respectful workplace policy and complaint procedures, reasonable accommodations; personal demographic information survey; and the posting of the EEO/AA policy statement and W-2 plans.

Monitoring State Agencies – BEI monitors and evaluates each agency's progress toward equal employment opportunity and affirmative action goals and objectives in implementing the certification standards and their AA Plans. During the monitoring process, BEI provides specific recommendations regarding methods through which the respective agencies may improve their efforts in providing equal opportunity to employees and applicants for employment, s. 230.04(9)(c) Wis. Stats. and ch. ER 43.05, Wis. Adm. Code. The following areas are part of BEI's monitoring:

- Recruitment process
- Policies and procedures
- Diversity training
- Wisconsin Works (W-2) hiring plan
- Employee orientation
- Retention
- AA Plan progress

State Council on Affirmative Action – The State Council on Affirmative Action (Council), which includes individuals appointed by the Governor and legislative leaders, advises the administrator of DOA Division of Personnel Management on state affirmative action efforts. The Council evaluates the progress of affirmative action programs throughout the civil service system, seeks compliance with state and federal regulations and recommends improvements in state affirmative action efforts as an employer. Council membership is representative of the state population. The Council holds an annual Diversity Award program to recognize best affirmative action practices among state agencies, University of Wisconsin campuses and Wisconsin Technical Colleges. BEI provides support to the Council.

EEO Training – Courses are a customized one-hour EEO/AA training program provided by BEI upon request by a state agency. EEO training courses include “Essentials of an Effective AA Advisory Committee,” “Reasonable Accommodations”, “Harassment is....” and “Unconscious Bias”.

New Supervisory Training – Provided jointly by the four bureaus in the Division of Personnel Management (BEM/BCC/BEI/BMRS), the supervisory training program is basic management/personnel administration training designed for new supervisors to meet the statutory training requirement. The EEO/AA training portion highlights the EEO/AA roles and responsibilities of supervisors. In addition the training covers basic EEO/AA concepts that are instrumental for supervisors such as EEO/AA laws, EEO/AA policies and procedures, unbiased and fair interview concepts and information concerning respectful workplace and accommodations. This program is provided to state agencies except for the five largest agencies which conduct their own new supervisor training.

3. Overview of EEO/AA Reports

BEI prepares the following reports as required by federal and state statutes. Reports can be found on the DOA Division of Personnel Management website.

Classified Workforce & Affirmative Action Report – This report documents demographic statistics of the permanent classified workforce, personnel transactions including hires, retirements and other separations from state service, and the demographics and workforce planning outlook on an agency-by-agency basis.

EEO-4 Report – BEI reports biennially to the federal EEOC on the Wisconsin state government workforce. The report is used by federal government agencies with responsibilities related to equal employment opportunity. The report contains race/ethnicity and gender data, occupational data, annual salary, new hires data, and data on employees who worked less than full-time.

State Council on Affirmative Action Report – This annual report summarizes the Council's activities and accomplishments which include the Council's observations and recommendations to improve the effectiveness and advancement of affirmative action, equal opportunity, and diversity in state government. In addition, the report highlights the annual Diversity Awards which recognizes agencies and universities with outstanding initiatives and best practices in affirmative action and diversity.

Veterans Employment Report – BEI prepares an annual report summarizing the progress being made to provide employment opportunities for veterans. The report includes statistics on the percentage of new hires and the number of incumbent employees who are veterans, disabled veterans and certain spouses of veterans for all state agencies.

Wisconsin Works (W-2) Report - The W-2 Report summarizes the W-2 hiring data by state agency and by classification title. The data in this report is extracted from the state employment applicant database.

Written Hiring Reasons Report – BEI prepares an annual report summarizing, for each agency, the appointing authority's reasons for selecting the persons who were appointed for new hires, promotions, and project appointments. The report summarizes the bases for the hiring decisions and includes the number of total hires who were veterans, persons with disabilities, racial/ethnic minorities, and women in classified and project appointments.

VII AA Roles and Responsibilities

Wisconsin state statutes require each level of authority, to play his/her roles and responsibilities accordingly to achieve EEO/AA in each state agency. For statutory compliance, agencies must meet the EEO/AA standard established by the Division of Personnel Management (DPM), and develop and implement relevant policies and procedures, with a designated Affirmative Action Officer (AAO) and the Affirmative Action Advisory Committee (AAAC) advising the appointing authority on EEO/AA issues and concerns.

Listed below are the roles and responsibilities of those who oversee and implement EEO/AA for Wisconsin state government:

DOA Division of Personnel Management Administrator

The administrator has the ultimate responsibility to oversee EEO/AA and promulgate appropriate rules, policy procedures and principles to ensure EEO/AA throughout the Wisconsin state government merit civil service system. The administrator:

- Establishes the standards for agencies' EEO/AA policies, procedures and plans.
- Monitors, evaluates, makes recommendations and provides technical assistance for improvements in agencies' EEO/AA policies and procedures.
- Issues enforceable orders relating to the administration of EEO/AA rules.
- Provides the Governor and the Legislature with annual summaries of agencies' EEO/AA information.

- Establishes an affirmative action subunit to advise and assist him/her, agency heads and administrators with EEO/AA policies, programs and procedures.

Bureau of Equity and Inclusion

BEI is the central affirmative action office for Wisconsin state government. Its responsibilities include:

- Developing policies and procedures governing the state's Equal Employment Opportunities/Affirmative Action (EEO/AA) program;
- Recommending new or revised legislation in support of a viable state EEO/AA program;
- Establishing standards for agency EEO/AA plans;
- Reviewing, approving and monitoring of state agency EEO/AA programs;
- Providing technical assistance to agencies in developing innovative personnel programs to increase the effectiveness of the state's EEO/AA program; and
- Analyzing state workforce data for use in developing EEO/AA reports and recommendations.

Appointing Authority at Agency

The appointing authority carries the overall responsibility for equal employment opportunity and affirmative action at his/her agency. Each state agency is required to establish basic EEO/AA policies, and implement and monitor them to ensure equal opportunity to applicants, employees and customers at the agency. The appointing authority:

- Prepares an agency's affirmative action plan.
- Ensures that his/her agency complies with its affirmative action plan.
- Explores and implements innovative personnel policies to ensure affirmative action.
- Creates an affirmative action advisory committee which shall advise him/her concerning programs designed to ensure equal opportunity to all employees, applicants for employment and clients of the agency (50 or more employees).
- Designates an affirmative action officer reporting directly to the appointing authority to advise and assist him/her in establishing programs to ensure appropriate affirmative action.
- Provides information about the employment of employees with disabilities at the request of the administrator.

Affirmative Action Officer

The AAO or designee as delegated by the AAO is crucial in implementing and ensuring the success of all equal employment opportunity/affirmative action (EEO/AA) programs, policies and procedures. The roles and responsibilities of AA Officers are derived from Wisconsin Statute Chapter 230, Administrative Rule ER 43, and rules and guidelines established by the DPM Bureau of Equity and Inclusion. In accordance with these statutes, rules and guidelines, AA Officers must do the following:

- Advise and assist the appointing authority in establishing programs to ensure appropriate affirmative action. Ensure development and implementation of all personnel policies, programs and procedures adhere to the EEO/AA principles, and monitor them accordingly for state compliance.
- Understand the state and federal laws and their requirements for upholding equal employment opportunity and affirmative action in an agency.
- Ensure agency recruitment and selection process steps are followed.
- Coordinate the review and approval of all interview questions and benchmarks, if not previously approved.
- Promote the agency's participation in the Summer Affirmative Action Internship Program (SAAIP).
- Encourage agency participation in EEO/AA programs such as the annual diversity award, the non-competitive appointment for certain disabled veteran's program and participation in the Division of Vocational Rehabilitation (DVR) job program.
- Investigate employee discrimination complaints fairly and promptly.

- Respond to and provide ongoing support to resolve employee's requests for reasonable accommodations and document in HCM PeopleSoft.
- Make sure that EEO/AA policies, programs and procedures are implemented and communicated with all employees in your agency.
- Attend at least 12 hours of EEO/AA/Diversity training annually.
- All appointed AA Officers in a nonsupervisory role must attend an internal agency supervisory training program or audit the DPM Supervisory Training within a year from appointment. All supervisors in classified service are statutorily required to successfully complete a supervisory development program.
- Develop and/or coordinate agency wide EEO/AA training for all employees, including supervisors and managers on a regular basis.
- Conduct a review of the affirmative action plan on a regular basis and make adjustments to the timeline and action items if necessary.
- Periodically advise and report to the agency head, and address managers and supervisors on all matters related to EEO/AA and diversity.
- Develop, maintain, and monitor EEO Certification Program to remain at the certified level at all times.
- Assist and participate with the agency's affirmative action advisory committee (if applicable).
- Work closely with all AAO approved designees; and oversee the quality of their work in delivering EEO/AA services. Ensure the designees receive at least six hours of task specific training e.g. accommodations, complaints, FMLA, AA, EEO, diversity etc. (if applicable).
- Work closely with BEI to seek consultation and technical assistance when necessary to perform EEO/AA roles and responsibilities.
- Work closely with supervisors and human resource directors, whenever there is a management consideration of discipline or termination of racial/ethnic minorities, women, veterans and persons with disabilities.
- Develop, implement and document an agency fiscal year W-2 plan (if applicable).

Affirmative Action Advisory Committee

The AAAC provides advice and direction to the appointing authority on department EEO/AA programs and goals; to identify problems and barriers to affirmative action target groups in recruitment, selection, and retention; identify EEO/AA training needs of department managers and supervisors; and heighten the awareness of EEO/AA issues throughout the department.

State Council on Affirmative Action

The Council is appointed by the Governor and legislative leaders. Their overall purpose is to foster measurable progress towards an equitable and diverse work force in state government.

- Advise the administrator.
- Evaluate the progress of affirmative action programs throughout the civil service system.
- Seek compliance with state and federal regulations.
- Recommend improvements in the state's affirmative action efforts as an employer.
- Report at least once per year to the governor and the legislature.

For more details about the roles and responsibilities of the administrator, affirmative action subunit (known as the Bureau of Equity and Inclusion), and appointing authorities, see the following statutes: s. 230.04 (9), Wis. Stats., s. 230.06 (1) (g) to (L), Wis. Stats. and ch. ER 43, Wis. Adm. Code.

VIII EEO Program Certification

In order to achieve statewide consistency in equal employment opportunity (EEO) programs, all Wisconsin state agencies must meet six eligibility criteria to attain and maintain EEO Program Certification. The EEO/AA Professional Procedure Manual addresses EEO Program Certification

requirements. It is the agency's responsibility to remain at the certified level at all times. EEO Program Certification requirements are verified during agency monitoring visits conducted by BEI.

EEO Program Certification criteria:

- EEO/AA policy requirements
- Appoint an Affirmative Action Officer (AAO)
- Implement recruitment and selection process requirements
- Establish an Affirmative Action Advisory Committee (AAAC)
- Conduct the Personal Demographic Information Survey
- Develop and implement a W-2 hiring plan

It is the agency's responsibility to remain at the certified level at all times. EEO Program Certification requirements are verified during agency monitoring visits conducted by BEI. **(Attachment #2, EEO Program Checklist)**

1. EEO Policy Requirements

Equal employment opportunity (EEO) policies exist nationally to ensure equal access and equal treatment for every applicant and employee throughout all agency employment practices such as the following: position description development; recruitment; assessment; selection; salary and wages; merit; training; transfer; promotion; reclassification; leave; acting on temporary assignment; disciplinary action; layoff; restoration; reinstatement; retention; etc.

EEO policies are established according to federal and state laws to prohibit discrimination and unequal treatment against any applicant or employee based on, but not limited to the following: the person's race, ethnicity, color, national origin, ancestry, gender, age, disability, religion, creed, marital status, sexual orientation, political affiliation, and membership in the armed forces.

In order to ensure equal access to information, all EEO/AA policies and procedures must be readily available to all employees. The agency must post the EEO/AA Policy Statement wherever and however necessary to provide employees notice of the policies and procedures and include agency AAO contact information. All EEO/AA policies and procedures must be accessible on the agency's intranet, internet and/or shared drive to ensure accessibility by all employees regardless of work location.

EEO/AA Policy Statement

This statement is an overview of the EEO/AA policies followed by individual agencies. The statement covers the agency's commitment to providing equal opportunity for all persons, and it summarizes the efforts taken to address any EEO violations. An agency's policy statement on equal employment opportunity and affirmative action must include language containing the following elements:

- A commitment to equal employment opportunity for all persons, regardless of race, creed, ancestry, religion, color, gender, national origin, age, disability, arrest or conviction record, marital status, political affiliation, sexual orientation or membership in the armed forces.
- Affirmative action efforts for racial/ethnic minorities, women, veterans and persons with disabilities will be undertaken to ensure equal opportunity and to overcome the present effects of past discrimination.
- Equal employment opportunity/affirmative action principles will affect all employment practices including, but not limited to the following: recruiting, interviewing, hiring, transfers, promotions, training, compensation, benefits, layoffs, terminations, retention, certification, and evaluations.
- Procedures are available to handle complaints alleging discrimination and/or harassment. The policy statement must give information regarding where these procedures are published and must identify the contact person.

- Reasonable accommodations for persons with disabilities are provided to ensure equal access to employment and all benefits associated with employment.
- The current agency head must sign the EEO/AA Policy Statement. Whenever the head of the agency changes or there is a change in the content of the policy this statement must be signed and reissued.

Diverse Interview Panel Policy

The purpose of this policy is to notify agency hiring units to incorporate a diverse perspective when evaluating job candidates. It covers the type of employees who should serve on a diverse panel and outlines the HR staff and AA Officer's responsibilities in overseeing the process.

Reasonable Accommodation Policy

This enterprise policy outlines the steps needed to provide an accommodation to an employee with a disability or in need of a religious accommodation. It provides the definitions and discusses the interactive process when handling an accommodation request.

Respectful Workplace Policy and Complaint Procedure

This enterprise policy defines the various forms of harassment and reiterates an agency's resolve to prevent it. It contains language stating that the agency prohibits all forms of harassment. Refer to Wisconsin Human Resources Handbook Chapter 440. This policy also outlines the procedures agency employees will follow when they feel they have experienced discrimination or harassment. It identifies the roles and responsibilities of those who oversee the handling of complaints. Retaliation against an employee who files a discrimination complaint is also a form of discrimination which is against the law and will not be tolerated by the agency.

Copies of the EEO enterprise policies and procedures and all DPM bulletins are available on the DOA DPM website.

Required Documentation: Agency's EEO/AA policy statement must be posted in an area accessible to all employees in the agency, be signed by the head of the agency and include AA Officer contact information. Agency will show how employees access the EEO/AA policies.

2. AAO Appointment

Section 230.06(1)(k), Wis. Stats., states, "An appointing authority shall designate an affirmative action officer reporting directly to the appointing authority. The affirmative action officer shall advise and assist the appointing authority in establishing programs to ensure appropriate affirmative action."

The AAO is the person designated with the responsibility of directing affirmative action, equal opportunity or diversity initiatives within an agency and must report directly to the Appointing Authority (agency head or designee) for EEO/AA purposes. The appointing authority or designee cannot be the agency's AAO, unless waived by BEI.

Reporting to the appointing authority does not necessarily require that the AAO receives day to day supervision from the appointing authority. The AAO may be supervised by other management staff for administrative purposes.

Required Documentation: A letter signed by the current head of the agency or designee, which identifies the AAO and states that the AAO reports directly to him/her for EEO/AA purposes. When a new AAO is designated a new signed letter must be sent to BEI.

3. Recruitment and Selection Process

DPM established an enterprise recruiting program and selection process operating from a premise of inclusion and treating every position as underutilized for recruitment purposes for racial/ethnic minorities, women, veterans and persons with a disability.

The following tools are incorporated within the recruitment and selection process to emphasize EEO and AA: (**Attachment #3, Recruitment Checklist**)

Enterprise Recruiting Program: General AA outreach is done at DPM. A single email will go out to EEO/AA partners rather than each agency sending an email. DPM will develop and distribute standardized materials for enterprise recruiting purposes.

Agency specific recruitment: Agencies participate by following the objectives and standards established by the enterprise recruiting program (DPM Outreach Services). Agencies will use recruitment and outreach materials specific to the open position. Agencies will continue to conduct position specific recruitment.

HR informs AAO of open recruitment and strategies: All positions are treated as underutilized for recruitment purposes. Agencies will establish an internal process to ensure the AAO is involved in the recruitment strategy at the agency level. The process might include quarterly meetings between AAO and HR, regular review of recruitment efforts by the AAO, or access to recruitment logs.

HR/AAO approval of interview questions and benchmarks for AA purposes: HR and the AAO will work together to ensure all interview questions and benchmarks are approved, unless the questions and benchmarks were previously approved. HR and/or the AA Officer will review the questions and benchmarks to ensure they are not discriminatory in nature. This includes, but not limited to, ensuring the question is job related, as indicated in the job analysis, not worded to imply that applicant must be currently working (“In your current position.....”), not so specific that the person would already have to be working in the position, does not include acronyms (even if in the job announcement) and avoid asking for multiple answers in the same question, etc. Interview panels must not subjectively evaluate interview candidates on communication styles, mannerisms (e.g. eye contact, fidgeting, etc.), or make broad assessments of candidate’s personality.

Panel members receive email confirmation and briefing: HR will send each panel member confirmation to include language on confidentiality and fair and unbiased assessment practices (*see Wisconsin Human Resources Handbook Chapter 104 for specific email content*). If the interview is scored the panel must be briefed on fair and unbiased assessment practices. An e-learning titled *“Interview Panel Best Practices – 2019,”* is available on the Enterprise Learning Management site.

Diverse interview panel members: Interview panels must have at least two members, preferably three, and be diversely composed. Diversely composed means that the panel cannot be made up of members representing all the same racial/ethnic group, gender, or be all veterans or persons with disabilities. One person may conduct a phone interview.

Hiring decision reason: Agencies must document the hiring reason decision for all new permanent hires, promotions and new hires in project positions in applicant database. Agencies must use the following BEI established hiring reason decision choices:

- A. Selected person served in this position or a similar position previously.
- B. Selected person has more advanced education and/or training for this position.
- C. Selected person has broader or more relevant experience performing the duties of this position.
- D. Selected person demonstrates greater knowledge of the key tasks required in this position.

Written hiring justification: It is highly recommended that hiring managers submit to HR a written hiring justification for all positions prior to job offer. The written hiring justification should provide a detailed job-related justification for recommending the selected candidate over the other applicants, e.g., number of years in profession, years of experience, past relevant experience, etc.

Required Documentation: A process that includes all steps identified on the DPM recruitment checklist used for every position. BEI will review six recruitment files or other documentation from the agency to determine compliance with recruitment and selection process requirements during BEI's monitoring visit.

4. Establish an Affirmative Action Advisory Committee (AAAC) (50 or more permanent employees)

Section 230.06(1)(j), Wis. Stats., states, "An appointing authority shall, if his or her agency employs 50 or more employees, create an affirmative action advisory committee which shall advise the appointing authority concerning programs designed to ensure equal opportunity to all employees, applicants for employment and clients of the agency."

This committee will have an organized structure, meet on a regular basis and advise the appointing authority on equal employment opportunity and affirmative action issues impacting the agency. This committee will be advised by the AAO, who will serve as a non-voting member. The committee should strive to have its membership reflect a cross section of its agency, such as: entry and mid-level staff; section chiefs; supervisors; bureau directors; people of different genders; people with disabilities; various ethnicities; various generations; etc. The size of the committee can vary between 5 and 25 people. (**Attachment #4, Sample AAAC ByLaws**)

Required Documentation: A copy of the most recent Affirmative Action Advisory Committee meeting agenda, minutes, current roster, and Bylaws.

5. Personal Demographic Information Survey

To ensure the most accurate information for reporting purposes, new and existing employees will use PeopleSoft HCM employee self-service (ESS) to identify their personal demographic information. In January of an odd year, agencies are required to send an email to all agency employees requesting a review of their personal demographic information, and whether they need an accommodation or help with evacuation during an emergency. Specific personal demographic information required for reporting purposes is indicated in the DPM-0443-EI bulletin.

The personal demographic collection email requesting a review of ESS information must include the contact information for the agency's reasonable accommodation specialist and inquire if the employee needs an accommodation or help during an evacuation. (**Attachment #5, Sample email**)

In December of an even year, DPM will post, under announcements on the ESS home page, a document with instructions on how to review and update personal demographic information.

Required Documentation: A copy of the method used (e.g. email, newsletter, intranet posting, etc.) to request employees to review their personal demographic information in HCM PeopleSoft. Request must include information on how to request an accommodation or assistance during evacuation.

6. Wisconsin Works (W-2) Plan

Section 230.147(1), Wis. Stats., reads in part, "Each appointing authority of an agency with more than 100 authorized permanent full-time equivalent positions shall prepare and implement a plan of

action to employ persons who, at the time determined in sub. (4), receive aid under s. 49.19 or benefits”

All agencies with more than 100 permanent full-time employees must develop and implement a plan to hire W-2 participants. Possible W-2 plans include; requesting a W-2 cert list, planning a hiring event at a W-2 location, connecting with Worksmart Network, holding a workshop or informational session, or attending a job fair at a W-2 location, etc. See W-2 Plan Worksheet located on the BEI website for more detailed information. BEI will verify compliance during the onsite monitoring visit.

Required Documentation: Agency will explain the agency’s W-2 plan and how it was implemented.
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IX Reasonable Accommodation

Reasonable accommodation is any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for an individual to enjoy an equal employment opportunity.

A reasonable accommodation may include, but is not limited to: modifying written examinations, making facilities accessible, adjusting work schedule, restructuring jobs, providing assistive devices or equipment, providing readers or interpreters, modifying work sites.

The following are factors to be considered when deciding whether to request verification from an employee. The list is not intended to be all-inclusive:

- Is the employee known to have a disability?
- Does the applicant or employee have an observable disability?
- Does the request expand on an existing accommodation or previously provided accommodation for which verification was required?
- Does the request appear inappropriate?
- Does the agency require a medical coordinator to conduct the communications with the employee’s medical personnel for verification?
- Questions for medical personnel:
 - How will the disability impact an employee’s ability to adequately undertake the job-related responsibilities?
 - What accommodation might assist the employee to adequately undertake the job-related responsibilities?

EEO Professional:

- Facilitate provision of medical equipment or devices to be used for accommodation
- Assist with management of employees’ separate, confidential medical files
- **Reporting.** Agencies will input data required from each reasonable accommodation request into the STAR information system.
- **Monitoring.** Agencies are monitored by the BEI for their provision of reasonable accommodations as part of their overall Equal Employment Opportunity (EEO) program compliance.
- **Equipment Transfers.** When a state agency purchases equipment for an employee as part of a reasonable accommodation and the employee later moves to a position in another state agency, agency representatives should come to a mutual agreement regarding the transfer of the equipment. In most cases the special equipment purchased should transfer with the employee.

If funds appropriated under s. 20.865(1)(fn), (Ln), and (vn), Wis. Stats. represent 50% or more of the cost of purchasing equipment for a reasonable accommodation, the title to such equipment will

be held by the Department of Administration (DOA). Equipment purchased under s. 20.865, Wis. Stats. will automatically be transferred with the employee, and if the employee leaves state service, DOA becomes responsible for holding it for use by other employees with disabilities within state government.

The EEO Professional will consider the following conditions for requesting state funds earmarked for accommodations from the Department of Administration:

- Is the cost of the accommodation feasible within the agency's budget?
- If not, can approval be obtained from the Department of Administration to use funds that are statutorily reserved for reasonable accommodations? (Requests will be made to the Department of Administration to use state funds earmarked for accommodations only in cases of which the Agency does not have available funds, and other possible sources such as the Department of Workforce Development (DWD), Division of Vocational Rehabilitation.
- Are there other more cost effective options that will allow the individual to adequately undertake the job-related responsibilities of the job?
- In general, the Agency will purchase equipment only if it is determined that the use of the equipment is necessary in transaction of official business of the agency. The equipment may not be of a personal nature (eyeglasses, hearing aids, etc.) that the employee could reasonably be expected to provide.

X Respectful Workplace

The State of Wisconsin is committed to promoting a respectful workplace and does not tolerate conduct or behavior that is bullying, discriminatory, harassing, or retaliatory in nature, regardless of whether they are linked to a protected class or status.

Every employee is responsible for discouraging and refraining from participating in any conduct that may be construed as disrespectful and for reporting any incidents of such conduct using the respectful workplace complaint procedure.

The respectful workplace complaint procedure provides a mechanism for employees to raise concerns about behaviors defined by the respectful workplace policy, committed by an employee or contractor of the State of Wisconsin. All complaints are taken seriously and will be reviewed and addressed.

To file a complaint, employees should complete the Respectful Workplace Complaint Form (Form DOA-5004) and submit it to management, EEO Professional, or agency designee. Employees may contact any of the above if they need assistance completing the form. If an employee does not fill out the form, but wishes to report a complaint, members of management or EEO Professionals can fill out the form on the employee's behalf. If the employee decides not to pursue the allegation, but management has been made aware of behavior that violates this policy, management is responsible for reporting and addressing the concern.

XI Training Requirement

All appointed AA Officers in a nonsupervisory role must attend an internal agency supervisory training program or audit the DPM Supervisory Training within a year from appointment. All supervisors in classified service are statutorily required to successfully complete a supervisory development program.

AA Officers are required to attend at least 12 hours of EEO/AA/Diversity training annually. Appropriate training is any class that may assist in completing the AA Officer roles and

responsibilities. In addition, any staff that has been delegated EEO/AA responsibilities must receive at least six hours of task specific training e.g. accommodations, complaints, FMLA, AA, EEO, diversity etc.

All agencies will develop and/or coordinate agency wide EEO/AA training for all employees, including supervisors and managers on a regular basis.

XII Affirmative Action Plan

Affirmative Action (AA) Plans are the outline of specific, pro-active programs and steps to be taken over a pre-determined period of time to increase the access of historically underrepresented qualified applicants to an agency's workforce. AA Plans rely on agency statistical analysis data using job group labor force availability percentages provided by BEI. AA Plans must also contain specific action steps to address problems that arise in an agency's Equal Employment Opportunity (EEO) program. Typical EEO problem areas include but are not limited to: racial discrimination; sexual harassment; hostile work environment; retaliation; lack of mobility access for people with disabilities; etc. affirmative action plans cover three-year time periods, and are produced and administered by an agency's equal opportunity program specialist and/or affirmative action officer. Agencies with 30 or more permanent, classified employees will prepare AA Plans. Agencies with less than 30 permanent, classified employees will submit an EEO/AA Commitment Letter. (**Attachment #6, EEO/AA Commitment Letter**)

Preparation of AA Plan

Agencies must conduct a self-assessment of their organization, determine any problem areas or deficiencies which exist, and develop programmatic goals and actions steps to address these problem areas or deficiencies. Self-analysis allows agencies to evaluate whether past discrimination and other issues have been corrected, and to track which current employment practices are succeeding.

Step 1: All agency EEO/AA Officers must analyze the agency's workforce using at least one of following:

Charts and tools to aid in conducting agency self-assessments are available as follows:

- Job Group/Labor Force availability table = *available on BEI's website*
- Review applicant summaries by Job Group = *produced from applicant database*
- Adverse Impact Analysis = *template available on BEI's website*
- Workforce Analysis = *template is available on BEI's website*
- Agency demographic report = *produced from STAR information system*
- Other Agency-Specific Documenting Tool of your choice

Step 2: Agency EEO/AA Officers should consult one or more of the following staff groups for data and feedback during the Agency Self-Assessment process:

- Affirmative Action Advisory Committees (AAACs) = (*example: How's the work climate and morale in your unit?*)
- Human Resources = (*example: AA target group recruitment this year; retention issues; etc.*)
- Training and Employee Development staff = (*example: How many ethnic minority staff, women or people with disabilities have participated this year?*)
- Employee Assistance Program staff = (*example: Request demographics of employees using the program, and services used by employees, etc.*)
- Supervisors = (*example: Have any harassment/discrimination issues developed in your work units this year?*)

- Managers = (*example*: Budgeting issues preventing allocation for improving accessibility for people with disabilities.)
- Others

Step 3: Agency EEO/AA Officers should review one or more of the following areas in the Agency Self-Assessment process:

- Review job groups where underutilization exists and determine what steps can be taken to correct the underutilization.
- Review applicant flow statistics for past job openings. This review may reveal problem areas in recruitment, testing procedures, hiring, etc.
- Review recruitment files which include recruitment activity plans, interview questions, benchmarks and notes, employment justification letters, and a list of exam raters and interviewers.
- Review sources of applicants.
- Review employee development efforts for current employees.
- Review student intern programs such as participation in the Summer Affirmative Action Internship Program (SAAIP), or local agency intern program.
- Review personnel transaction statistics. If racial/ethnic minorities, women, and people with disabilities are receiving a lesser percentage of reclassifications and promotions, or a greater percentage of discharges and layoffs than might be expected from their percentages in the workforce, it might be an indication of problems which need attention.
- Review voluntary separations. If the review indicates a problem of retention of racial/ethnic minorities, women, and people with disabilities, programs to address retention should receive special attention.
- Review discrimination complaints and grievances in your agency over the past few years. Problems here might reveal the need for new or revised policies and procedures or supervisory training program.
- Review all permanent and probationary terminations of racial/ethnic minorities, women, and people with disabilities to the extent necessary to track any disparities.

Step 4: Provide a short narrative or summary of the findings in your agency's self-assessment.

- Review your analysis of the Job Group and Underutilization tables and results from any other analysis tools you used.
- Evaluate the information discovered regarding current programs, retention, recruitment, etc.
- Review any notes taken from other agency employees and management, if applicable.

Writing the Affirmative Action Plan

Based on your findings from the agency self-assessment (workforce analysis), you are ready to produce goals and action plans to address problem areas revealed in the analysis. An AA Plan template and self-checklist is included in this chapter for reference and guidance purposes when writing and developing the AA Plan: (**See Attachment #7, AA Plan Template and Attachment #8, AA Plan Checklist**)

Narrative Summary

Provide a summary in narrative form of your workforce analysis findings and their implications for your agency. It is not necessary to include the actual charts and analysis tables in the submission of the AA Plan. As a best practice, keep your charts and analysis tables handy for further reference.

Description of Problem(s) to be Addressed

Describe the underutilization or problem area you intend to address. Consider all barriers to equal opportunity. Use sufficient detail to convey the nature and scope of the problem.

Description of Efforts You Will Use to Address the Problems

Explain, in general terms, what you will do to address the problem, why you will use this particular effort, and what you expect the result to be. The results should be specific and measurable. They should describe how things will be different after you have acted.

Goal(s) to be Achieved

State the goal(s) clearly. Example could be:

- Increase the recruitment of racial/ethnic minorities, women and people with disabilities.
- Add a mentoring component to our agency’s SAAIP.
- Reduce the amount of harassment complaints.

Action Steps/Responsible Staff or Office/Time Line/Evaluation

List specific activities you will take to achieve your goal(s), and give the timeline (when it will start and when it will end) for each activity. What do you hope will be the outcome of your actions? To evaluate your action program, answer the question, “How will you know if your efforts have been successful?”

Internal Communication and Monitoring of AA Plan

Describe how information about your AA Plan will be communicated throughout your agency. Also describe the procedure(s) that will be used to monitor your AA Plan.

Communication: In order for the EEO program and AA Plan to be effective, agency employees need to be aware of their existence and contents. Describe how information about the EEO Program and AA Plan will be disseminated. (Examples: via agency intranet and other social media; new employee orientation seminars; employee training sessions; brown bag lunch sessions; bulletin board display; hard copies available in HR Library and/or AA office; etc.)

Monitoring: The management of the EEO program and progress toward achieving the goals of the AA Plan need to be monitored by the agency. Describe the procedure to be used to monitor both the EEO program and progress toward attainment of AA goals. Include the role of the agency head and other top administrators in the monitoring process.

Your Agency’s EEO/AA Policy Statement

Signatures of your Appointing Authority and Affirmative Action or Equal Opportunity Officer

Date of Submission of Plan to DPM Bureau of Equity and Inclusion

A WORD-format sample template is available on DOA DPM’s website.

XIII AA Plan Progress Report

Annually, agencies must submit an AA Plan progress report to the BEI. This progress report will document progress toward achieving affirmative action goals and addressing problems identified in an agency’s workforce analysis. BEI will use this information to compose an annual report for the Governor on the status of Wisconsin’s workforce, and to assist its statewide monitoring of agency affirmative action compliance.

Affirmative Action Officer Roles and Responsibilities

The Affirmative Action Officer (AAO) or designee as delegated by the AAO is crucial in implementing and ensuring the success of all equal employment opportunity/affirmative action (EEO/AA) programs, policies and procedures. The roles and responsibilities of AA Officers are derived from Wisconsin Statute Chapter 230, Administrative Rule ER 43, and rules and guidelines established by the DPM Bureau of Equity and Inclusion. In accordance with these statutes, rules and guidelines, AA Officers must do the following:

- Advise and assist the appointing authority in establishing programs to ensure appropriate affirmative action. Ensure development and implementation of all personnel policies, programs and procedures adhere to the EEO/AA principles, and monitor them accordingly for state compliance.
- Understand the state and federal laws and their requirements for upholding equal employment opportunity and affirmative action in an agency.
- Ensure agency recruitment and selection process steps are followed.
- Coordinate the review and approval of all interview questions and benchmarks, if not previously approved.
- Promote the agency's participation in the Summer Affirmative Action Internship Program (SAAIP).
- Encourage agency participation in EEO/AA programs such as the annual diversity award, the non-competitive appointment for certain disabled veterans program and participation in the Division of Vocational Rehabilitation (DVR) job program.
- Investigate employee discrimination complaints fairly and promptly.
- Respond to and provide ongoing support to resolve employees requests for reasonable accommodations and document in HCM PeopleSoft.
- Make sure that EEO/AA policies, programs and procedures are implemented and communicated with all employees in your agency.
- Attend at least 12 hours of EEO/AA/Diversity training annually.
- All appointed AA Officers in a nonsupervisory role must attend an internal agency supervisory training program or audit the DPM Supervisory Training within a year from appointment. All supervisors in classified service are statutorily required to successfully complete a supervisory development program.
- Develop and/or coordinate agency wide EEO/AA training for all employees, including supervisors and managers on a regular basis.
- Conduct a review of the affirmative action plan on a regular basis, and make adjustments to the timeline and action items if necessary.
- Periodically advise and report to the agency head, and address managers and supervisors on all matters related to EEO/AA and diversity.
- Develop, maintain and monitor EEO certification program to remain at the certified level at all times.
- Assist and participate with the agency's affirmative action advisory committee (if applicable).
- Work closely with all AAO approved designees; and oversee the quality of their work in delivering EEO/AA services. Ensure the designees receive at least six hours of task specific training e.g. accommodations, complaints, FMLA, AA, EEO, diversity etc. (if applicable).
- Work closely with BEI to seek consultation and technical assistance when necessary to perform EEO/AA roles and responsibilities.
- Work closely with supervisors and human resource directors, whenever there is a management consideration of discipline or termination of racial/ethnic minorities, women, veterans and persons with disabilities.
- Develop, implement and document an agency fiscal year W-2 plan (if applicable).

EEO Program Checklist

In order to achieve statewide consistency in equal employment opportunity (EEO) programs, all Wisconsin state agencies must meet six eligibility criteria to attain and maintain EEO Program Certification. The EEO/AA Professional Procedure Manual addresses EEO Program Certification requirements. It is the agency's responsibility to remain at the certified level at all times. EEO Program Certification requirements are verified during agency monitoring visits conducted by BEI.

EEO Policy Requirements **Y** **N**

Required Documentation: Agency's EEO/AA policy statement must be posted in an area accessible to all employees in the agency, be signed by the current head of the agency and include AA Officer contact information. Agency will show how employees access the EEO/AA policies.

EEO/AA Policy Statement	Y	N
Diverse Interview Panel	Y	N
Reasonable Accommodations	Y	N
Respectful Workplace Policy and Complaint Procedure	Y	N

NOTE: Agency may combine policies and procedures in the same document as long as all of the above areas are covered in depth.

Notes:

Affirmative Action Officer (AAO) appointed **Y** **N**

Required Documentation: A letter signed by the current head of the agency or designee, which identifies the AAO and states that the AAO reports directly to him/her for EEO/AA purposes. When a new AAO is designated a new signed letter must be sent to BEI.

Notes:

Recruitment and Selection Process **Y** **N**

Required Documentation: A process that includes all steps identified on the DPM recruitment checklist used for every position. BEI will review six recruitment files or other documentation from the agency to determine compliance with recruitment and selection process requirements during BEI's monitoring visit.

Agency Specific Recruitment	Y	N
HR informs AAO of open recruitment and strategies	Y	N
HR/AAO approval of interview questions/benchmarks	Y	N
Interview Panel members confirmation and briefing	Y	N
Diverse Interview Panels	Y	N
Hiring decision reason documented in applicant database	Y	N

Notes:

Affirmative Action Advisory Committee (50 or more permanent employees).

NA Y N

Required Documentation: A copy of the most recent Affirmative Action Advisory Committee meeting agenda, minutes, current roster, and Bylaws.

Notes:

Personal Demographic Information Survey

Y N

Required Documentation: A copy of the method used (e.g. email, newsletter, intranet posting, etc.) to request employees to review their personal demographic information in HCM PeopleSoft. Request must include information on how to request an accommodation or assistance during evacuation.

Notes:

W-2 Plan

Y N

Required Documentation: Agency will explain the agency's W-2 plan and how it was implemented.

Notes:

RECRUITMENT CHECKLIST

Job/Working Title:		Recruitment ID/Cert#:				Job Announcement Code:		
Hiring Manager (HM):		HR Specialist:				Recruitment Type:		
Date Request To Fill (RTF) Initiated:		Career Executive <input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Transfer <input type="checkbox"/> Related Register <input type="checkbox"/> Open		
Date Approved To Fill:	Date Certification Requested:	Staffing Delegation <input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Disabled Veteran <input type="checkbox"/> ER-MRS 27 <input type="checkbox"/> W-2		
Date Cert Due:	Date Cert Created:	Classification Delegation <input type="checkbox"/> Yes <input type="checkbox"/> No				Transfers: <input type="checkbox"/> must take assessment		
Date First Offer Due:	Date of First Offer:	Pre-Cert Background Check <input type="checkbox"/> Yes <input type="checkbox"/> No				# of Vacancies:		
						Cert Rule:		

Task	HM	HR	AA	DPM	Timeframe/Requirements	Planned	Actual
Preliminary Activities							
1. Hiring Manager submits Request to Fill and PD.	X				HR classifies position description and submits Request to Staff/Fill for approval		
2. Initial discussion of Selection Assessment Strategy and outline staffing plan.	X	X			HR researches previous recruitment to provide potential guidance to hiring manager. Also includes planning target dates for completion of process.		
3. Complete internal transfer process (if applicable).		X			If internal transfers will be considered prior to open recruitment, HR will post opportunity internally.		
4. Complete the Job Analysis, Selection Assessment Strategy and Job Expert Certificate (if applicable).	X	X			Hiring Manager and other SMEs involved in the assessment process (other than the hiring manager) will need to complete the Job Expert Certificate. HR and Hiring manager conduct job analysis which includes identifying minimally required and preferred from PD.		
5. Create assessment tools.	X	X					
6. Identify panel members (including interviewers).	X				Minimum two diverse panel members, best practice three.		
7. Finalize Selection Assessment Strategy & Job Analysis form.	X	X			HR will review assessment tools for approval.		
Cert Request to Cert Created							
30 calendar day limit from Date Cert Requested to Date Cert Created							
8. Publish Announcement.		X			Minimum application period per policy = 7 calendar days.		
9. Conduct recruitment; place ads, social media, outreach.	X	X	X	X	HR informs AAO of open recruitment and strategies.		
10. Submit interview questions and benchmarks for approval.	X	X	X		HR/AAO approves interview questions/benchmarks, if not previously approved.		
11. Email confirmation to panel members.		X			Email includes statement regarding confidentiality and fair and unbiased assessment practices.		
12. Prepare materials for panel, brief panel and set review date.		X			If scored, must have panel briefing.		
13. Enter and analyze assessment results, create register.		X					
14. Send Cert list to hiring manager.		X					
Cert Created to Offer							
30 calendar day limit from Date Cert Created to Date First Offer Due							
15. Apply additional assessment(s), if applicable. <i>(Repeat #13, enter and analyze)</i>	X	X			Screen may be applied prior to or post Cert. If scored, must have panel briefing.		
16. Conduct interviews and check references.	X						
17. Prepare and receive required written hiring reason.	X	X			Hiring Manager submits a written reason for hiring decision (BEI specified options) and hiring justification (recommended) for the recommended hire to HR for approval.		
18. Conduct background check. Verify Selective Service registration, Veteran Status and Vet disability (if applicable).		X			For veteran verification review DD214 and federal disability rating document (if applicable). Enter completed background check into person profile.		
19. Make job offer and create appointment letter.	X	X			Hiring Manager makes offer of employment. Once offer is accepted HR will create and send appointment letter		
20. Enter hire into necessary system(s).		X			This includes the HM's hiring reason decision (BEI specified options).		

Comments:

Department of XXXXXXXX
Affirmative Action Advisory Committee Bylaws
Adopted XXXXXXXXXXXX

Article I - Purpose

The purpose of the Department of XXXXXXXX's Affirmative Action Advisory Committee is as follows:

1. Advise the agency head on issues that affect agency policy, practices and services related to affirmative action and equal employment opportunities.
2. Communicate concerns and/or recommend positive solutions to ensure equal opportunities for all agency staff to the agency affirmative action officer.
3. Recommend, develop, and/or sponsor activities that value diversity, encourage personal growth and supports a positive climate for diversity.
4. Assist the agency Affirmative Action Officer and act as a liaison between department staff and the Secretary's office.
5. Assist in development of the Affirmative Action Plan. Recommend strategies to address identified goals and define and monitor measures to ensure effectiveness.
6. Communicate the Affirmative Action Plan, goals, and activities to department staff.
7. Annually evaluate and report the effectiveness of the Affirmative Action Plan and activities to the agency head.

Article II - Membership

Section 1. Representation

The committee will consist of the department affirmative action officer (a nonvoting member) and a broad spectrum of department representation, which may include the following:

- a) each division
- b) management
- c) minority group employees
- d) employees with disabilities
- e) non-management

Section 2. Number of Members

At least one and not more than three voting members will be appointed to the Committee by each Division Administrator. Maximum of [number of members] members on the committee.

Section 3. Staggered Terms of Appointment

It is the intent of the agency head that committee members will be appointed to two-year staggered terms. New voting members will be appointed to a two-year term by each Division Administrator in May of each year, or as needed to replace a vacancy.

Article III - Meeting Schedule

Committee meetings will be held at least nine times annually with times and location to be determined by the committee. Special meetings may be called by the chair with a minimum of two weeks notice.

Article IV - Distribution of Minutes

The minutes will be made available electronically to all committee members prior to the next scheduled meeting once approved. They will be made available to the agency staff.

Article V - Conduct of Meetings

Section 1. Quorum

In order to conduct a meeting, a quorum must be present. A quorum will be at least one-third of the total voting membership. Decisions for the committee may be made by a simple majority vote of the voting members present.

Section 2. Absences

Members shall notify the chair or vice-chair of the absences at least 24 hours prior to the scheduled meeting.

Article VI - Officers

Section 1. Titles and Terms

The officer positions shall consist of a Chair, a Vice Chair, and a Secretary. Officers will be elected at the June meeting for a one-year term.

Section 2. Responsibilities of Chair

1. Coordinate the agenda for committee meetings.
2. Call and conduct committee meetings.
3. Appoint members to subcommittees. At various times, the committee may request other department employees to serve on subcommittees to offer expertise and guidance.
4. Delegate various responsibilities to committee members but retain overall responsibility.
5. Notify the affirmative action officer of vacancies on the committee and recommend new appointments.
6. Maintain committee records.
7. Prepare and submit to the agency head, an annual summary of committee work.

Section 3. Responsibilities of Vice Chair

1. In the absence of the chair, conduct committee meetings and carry out the other duties of the chair.
2. Assist the chair as requested to prepare summaries or correspondence.
3. Assist with subcommittee activities.
4. Review the Plan of Work and update when necessary.
5. Assist in the evaluation of the committee Affirmative Action Plan.

Section 4. Responsibilities of Secretary/Co-Secretary

1. With the assistance of the Executive Committee, draft and maintain Committee records including the minutes of meetings, the annual summary of Committee work and the statement of agency status.
2. Distribute agenda and minutes to all Committee members.
3. Assist the Chair as requested to prepare documents, summaries and correspondence.
4. Maintain the records of all subcommittee work products.
5. Monitor member attendance status and performance of ongoing responsibilities, report any concerns to the Chair.

Section 5. Responsibilities of Committee Members

1. Attend all scheduled committee meetings. If unable to attend, notify committee chair or vice-chair as stated in Article V. When more than three unexcused absences occur in one year, evaluate time commitments and discuss with chair.
2. Provide service to the committee by participating in subcommittee activities. Be a responsible participant in committee discussions.

Section 6. Executive Committee

The executive committee, which includes the elected officers and at-large member, shall conduct business between regular meetings. In addition, the department Affirmative Action Officer will serve as a member of this leadership team.

Section 7. Fulfillment of Officer Responsibilities

A committee member who is elected to an officer position must be willing to fulfill this time commitment and attend meetings during their term. If any situation arises where this obligation cannot be fulfilled or if an officer misses more than two consecutive meetings, the officer should evaluate time commitments and discuss options with chair. If the chair resigns from office during his/her term, a special election will be held at the next scheduled meeting conducted by the vice-chairs.

Article VII - Amendments

Section 1. Proposed amendments to these bylaws may be introduced by any committee member.

Section 2. Proposed amendments shall be in writing and submitted to the chair.

Section 3. Proposed amendments shall not be voted upon during the same meeting at which they are introduced.

Section 4. Proposed amendments shall require a majority vote of the full voting membership of the committee.

Section 5. Amendments shall become effective upon approval of the minutes.

Article VIII - Ratification

Ratification of these bylaws shall be by a majority vote of the full voting membership of the committee.

Sample Personal Demographic Information Survey email

Dear Agency Employee,

Please review your personal demographic information located in PeopleSoft HCM (<https://ess.wi.gov>). This is your opportunity to self-identify or update your race, ethnicity, disability information and veteran status. All personal information collected is kept confidential and used primarily for reporting purposes, unless support services and/or accommodations are requested. Instructions on how to find the demographic information page is located on the announcement section of the Employee Self Service (ESS) homepage.

Pursuant to s. 230.04(10)(b) and (c), and Public Law 88-352, Title VII of the Civil Rights Act of 1964 all agencies have the responsibility to collect and maintain current employee data regarding, race, ethnicity, gender, disability information and veteran status. Data collection requirements are for new and existing employees, to include limited term, project, seasonal and sessional employees.

To ensure the most accurate personal demographic information for reporting purposes, and to meet your accommodation and evacuation needs, agencies are required to request personal information upon hire of a new employee and for all existing employees every two years.

In addition to the personal demographic information review please send an email to [Agency Reasonable Accommodation Specialist] at [email] or call [Phone number] if you need an accommodation or assistance in the event of an emergency evacuation at your work location. [Agency]'s Reasonable Accommodation Policy is located [indicate where located].

We encourage all employees to review and update their personal information, if needed, in the next two weeks. Our goal is to compile the most accurate data for reporting purposes.

If you have questions regarding this email please contact [Name and contact information of agency's AA Officer].

Thank you

Date

[Current DPM Administrator], Administrator
Department of Administration
Division of Personnel Management
101 East Wilson Street, 4th Floor
P.O. Box 7855
Madison, Wisconsin 53707-7855

Re: Commitment letter that adheres to the tenets of the affirmative action planning standards for [current plan period]

Dear [Current DPM Administrator]:

Consistent with Wisconsin's leadership and progress in achieving and assuring diversity in the work place, I am firmly committed to meeting the state laws and policies, as well as federal laws, for equal employment opportunity and affirmative action. The [Agency's Name] recognizes that equal employment opportunity is a legal, organizational, and economic necessity in order to maximize the quality and diversity of the state's workforce. This commitment is extended to all job applicants and employees in every type of position including unclassified, classified, project, limited term, volunteers, interns and work study personnel.

The [Agency's Name] has fewer than 30 permanent classified employees and is not required to submit a full affirmative action plan. Being an integral part of the State of Wisconsin as an employer, we intend to apply affirmative action principles to all employment policies, procedures and programs, wherever it's appropriate, to ensure equal employment opportunity and freedom from discrimination. We are committed through our actions which include addressing all issues regarding affirmative action, conducting targeted recruitments, ensuring managers and supervisors receive EEO/AA training on a biennial basis, having diverse interview panels, participating in the W-2 program, creating SAAIP (internship) opportunities, monitoring for discriminatory practices, investigating discrimination complaints, informing employees regarding EEO/AA policies and procedures, and engaging in EEO/AA best practices.

We look forward to working with the Division of Personnel Management, Bureau of Equity and Inclusion to implement our policies and programs in efforts to correct the present effects of past discrimination and to build a motivated and skilled work force that is reflective of the population we serve.

Sincerely,

Agency Head Name
Agency Head Title

cc: Name, Affirmative Action Officer

State of Wisconsin

Agency

address

Affirmative Action Plan

For the period of

July 1, 2020 – June 30, 2023

** We have reviewed and firmly endorsed the content of this affirmative action plan. Being an integral part of the State of Wisconsin as an employer, we are committed to ensuring equal employment opportunity, freedom from discrimination, and affirmative action in compliance with state laws and policies as well as federal laws. This means that equal employment opportunity/ affirmative action principles will be applied to all employment policies, procedures and programs, wherever it's appropriate. This is consistent with Wisconsin's leadership and progress in achieving and assuring diversity in the work place.*

Appointing Authority

Full Name

* Signature*

Title

Email

Affirmative Action Officer

Full Name

* Signature*

PhoneEmail

Date of Submission to DPM/BEI

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- IV. Internal Communication and Monitoring of AA Plan

I. Agency EEO/AA Policy Statement

(Example)

Our organization is committed to development and implementation of policies and practices to ensure equal employment opportunity (EEO) for all persons employed by or seeking employment with our agency. This commitment guarantees the creation of work environments that ensure non-discrimination for all people as required by federal, state and department laws, policies, rules and regulations. Providing equal employment opportunity is an ethical, legal, social and economic necessity to maintain a work force of the highest quality and productivity.

In addition, affirmative action (AA) efforts will be taken on behalf of racial/ethnic minorities, women, veterans and persons with disabilities for positions in which representation from those groups are traditionally underutilized.

Our organization's actions and policies will assure equal employment opportunity and non-discrimination for all persons regardless of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters or any other protected class category covered under state, federal and local laws.

EEO/AA principles will affect all employment practices including, but not limited to, recruiting, interviewing, hiring, transfer, promotions, demotions, training, compensation, benefits, layoffs, terminations, and disciplinary actions.

It is our intent to maintain a professional and respectful work environment which supports employees, so they can be productive and effective in their jobs. This means we will take steps to ensure the workplace is free of discriminating and harassing behavior. A respectful workplace policy and complaint procedure has been established to address EEO complaints made by employees.

We will provide reasonable accommodations whenever an applicant or employee presents a barrier to employment opportunities or restricts the ability to perform a job. Appropriate accommodations will be provided to ensure equal access to employment and all benefits associated with employment.

I have appointed [Name] as the agency's Affirmative Action Officer (AAO) to manage the equal employment opportunity program. This person's responsibilities will include monitoring all EEO and AA activities. I will receive and review reports on the progress of the EEO program and AA plan. Any employee or applicant may inspect our Affirmative Action Plan during normal business hours by contacting the AA Officer.

If any employee or applicant for employment believes he or she has been treated in a way that violates this policy, they should contact either [EEO Professional's name] at [Work Address and Phone] or any other representative of management, including me. Responsible parties will investigate allegations of discrimination or harassment as confidentially and promptly as possible, and we will take appropriate action in response to these investigations.

II. Agency Self-Assessment Workforce Analysis

Narrative Summary of Workforce Analysis (findings)

Provide a summary of your findings based on:

- Your analysis of the Job Group and Underutilization tables;
- any other analysis tools you used;
- your review of the various areas of your agency;
- and your consultations with other agency employees and management.

III. AA Goals and Action Plans to Address Problem Areas

Description of Problem: describe the underutilization and/or problem you intend to address.
(EXAMPLE)

Difficulty recruiting racial/ethnic minorities, women, veterans and people with disabilities to our agency. The percentage of minorities, women, veterans and people with disabilities, particularly among the millennial generation, is low with every recruitment.

Description of Effort to Address Problem: what you will do to address the problem, why you will use this particular effort, and what you expect the result to be. (EXAMPLE)

Conduct more in-person recruitment efforts, because studies show some people view such efforts as more authentic, and are thus more likely to respond positively. As a result of this strategy, we expect our recruitment numbers to increase.

Action Steps/Responsible Staff or Office/Time Line/Evaluation
(EXAMPLE)

Goal: To increase recruitment of racial/ethnic minorities, women, veterans and people with disabilities.

Action Steps	Responsible Staff/Office	Time Line	Evaluation: (How will you know if your efforts have been successful?)
Develop a recruiting strategy that adds new outreach methods to previous recruitments method, such as: community organization visits; guest appearances on local media interview shows; campus visits, etc.	HR Specialist AAO	Aug - Sep 20	The new recruiting strategy is compared with any previous strategies and will list the new outreach methods.
Conduct recruitment efforts as listed in our recruiting strategy. Track contacts made, list and complete any follow-up activities generated from contacts.	HR Specialist Staff from hiring bureau AAO	Sep 20 - Jul 21	All the outreach efforts in our recruiting strategy should be checked off as completed. New contacts should appear in an agency networking/contact list and/or database.
Track the applicant summaries in the applicant database, along with any personal antidotes that surface.	HR Specialist AAO	Ongoing	A larger number of minorities, women, veterans and/or people with disabilities should be present in the applicant pools.

IV. Internal Communication of AA Plan

Describe how information about your AA Plan will be communicated throughout your agency.

Internal Monitoring of AA Plan

Describe the procedure(s) to be used to monitor your agency's AA Plan.

The following list includes some sample monitoring activities. Evaluate one or more of the following within your agency:

- EEO/AA training or review at staff meetings
- Supervisors' EEO/AA performance
- Hiring managers participation in diversity recruitment
- A mentoring program or a buddy system for AA group members
- Participation in training programs to ensure equal access for all AA group members
- Exit interview programs
- Tracking and analysis of retention issues, e.g. upward mobility for AA group members
- Personal Demographic Information Survey
- The accessibility of programs, services and facilities to ensure access for persons with disabilities
- Participation in SAAIP or other internship programs
- Tracking and analysis of discrimination and harassment complaints and their resolutions
- Other activities: (Please elaborate)

Affirmative Action Plan Checklist

Are the following areas included in your agency AA Plan?		
Required Area	Yes or No	What you still need to do
Agency Name		
Agency Head Signature		
AA Officer Signature		
Date Submitted to DPM/BEI		
Agency's Policy Statement		
Narrative Summary		
Description of Problems to be addressed		
Description of Efforts you will use to address the problems		
Goal(s) to be achieved		
Action Step(s)		
Time Line(s)		
Staff or Office Responsible		
Evaluation		
Internal Communication Plan		
Internal Monitoring Plan		