

# **EMPLOYMENT DISCRIMINATION BUREAU**

## **2008-2009 STRATEGIC PLAN**

### **MISSION:**

To conduct fair, impartial and timely investigations of employment discrimination complaints from employees who believe they have been treated illegally by their employer in regard to one of the following matters:

- Workers' Compensation claims
- Safety and Health complaints
- Wage and Hour complaints
- Mine Safety and Health complaints
- Sickle Cell Anemia/Hemoglobin C carriers
- National Guard Service
- Genetic testing
- Participation in the Juvenile Justice system
- Victims of Domestic Violence
- Prevent Agriculture Pesticide Exposure

### **VISION:**

#### **THE BEST RESOLUTION OF EVERY COMPLAINT**

The investigative staff of the Employment Discrimination Bureau (EDB) acts as impartial fact finders in determining if a violation of the Retaliatory Employment Discrimination Act (REDA) has occurred then takes appropriate action to resolve the complaint. Complaints are assigned for investigation the day they are filed. The Investigator contacts the complainant and respondent to determine the extent of the alleged violation and the willingness of the parties to settle their issues. Possible resolutions include settlement, legal review for possible litigation when merit has been found and attempts to settle were unsuccessful, and the issuance of right-to-sue letters.

### **GOALS:**

**GOAL 1: IMPROVE INVESTIGATIVE RESULTS**

**GOAL 2: IMPROVE CUSTOMER SERVICE**

**GOAL 3: IMPROVE STAFF DEVELOPMENT AND OPERATIONAL PROCESSES**

**GOAL 4: MAINTAIN A SAFE & HEALTHFUL WORKPLACE**

## **GOAL 1: IMPROVE INVESTIGATIVE RESULTS**

- Objective 1:** Complete at least 90% of non-tolled complaints within 90 days of complaint filing date by April 1, 2008.
- Objective 2:** Obtain the percentage of settled cases by the following: 15% by April 1, 2008; 15.5% by April 1, 2009; 16% by April 1, 2010.
- Objective 3:** Assign all cases so that Investigators will receive an equal proportion of assignments to allow each investigator to complete at least 11% of all closed cases annually.

## **GOAL 2: IMPROVE CUSTOMER SERVICE**

- Objective 1:** Complainants and Respondents will be contacted by the Investigator within 15 workdays of receiving the assignment and an early resolution attempt will be made and documented. *(Except for those in Objective 2, below)*
- Objective 2:** Respondents in REDA / OSH cases will be contacted by the Investigator within 20 calendar days of assignment.
- Objective 3:** Respond to Information Officer and AskEDB inquiries by the close of the next business day
- Objective 4:** Mail non-OSH case disclosures by the workday following acknowledgement of payment.
- Objective 5:** EDB Administrator will conduct the internal review of a Customer Service Complaint and submit the findings to Legal Affairs within 2 workdays of completion.
- Objective 6:** The Administrator will perform a quality review of 10% of all closed cases every quarter.

## **GOAL 3: IMPROVE STAFF DEVELOPMENT AND OPERATIONAL PROCESSES**

- Objective 1:** Provide a minimum of 8 hours per year of skill enhancement training to EDB staff with emphasis on settlement and negotiation skills.
- Objective 2:** Conduct at least one (1) telephone conference per quarter and/or four (4) telephone conferences per year by April 1, 2008.
- Objective 3:** Conduct at least three on-site Team Meetings by April 1, 2008. In addition to EDB administrative items, each meeting should include a discussion of complex and/or interesting REDA cases as well as discussions on investigative techniques or legal issues. Outside experts should be utilized when possible.
- Objective 4:** Develop a 3 year plan for replacing or acquiring office and communications equipment including application programs.
- Objective 5:** Provide accurate monthly productivity feedback to each Investigator on Team and individual goals.

## **GOAL 4: MAINTAIN A SAFE & HEALTHFUL WORKPLACE**

- Objective 1:** All injuries, occupational illnesses and violence or criminal activity events will be investigated and reported within the guidelines and time frames of the Employee Safety and Health Program, Policy 9.
- Objective 2:** Safety & Health will be a topic of discussion at all on-site Team Meetings 2007 – 2009.
- Objective 3:** The EDB representative will conduct documented inspections using appropriate forms to ensure safe conditions and identify newly created hazards in a timely manner.
- Objective 4:** The EDB representative will attend all Employee Safety and Health Steering Committee Meetings
- Objective 5:** The Unit Safety Committee for Apprenticeship, EDB and Wage & Hour will meet four times per year. EDB will participate, collect appropriate documentation, and serve in the three year rotation as the unit representative and the alternate representative to the Steering Committee.
- Objective 6:** All EDB staff will receive training for CPR certification before April 1, 2008. Afterwards, EDB staff will receive training as necessary to maintain their certification.

### Glossary:

- **DI:** Discrimination Investigator
- **EDB:** Employment Discrimination Bureau
- **C:** Complainant is the person bringing the complaint to EDB
- **R:** Respondent is the person or company responding to the complaint received in EDB
- **Tolling:** A file may be tolled when a circumstance outside of the DI's control causes a delay in the completion of the investigation. A file may be tolled if: (1) The investigator is involved in Settlement Negotiations with C & R; (2) C has a pending WC claim and both parties have agreed to suspend the EDB investigation until the completion and possible settlement of the WC claim; (3) File been submitted to the EDB Administrator or Legal Affairs office for administrative action; (4) Case file has been transferred from one DI to another; (5) DI is absent from work for five (5) consecutive work days; (6) Case file has been settled and DI awaiting documentation to confirm closure, (i.e. Withdrawal Form, Letter from Attorney, E-Mail message).