

EEOP Short Form



Tue Sep 20 17:42:28 EDT 2011

Step 1: Introductory Information

Grant Title:	BJS FY 11 NICS Act Record Improvement Program (NARIP) for States and State Court Systems	Grant Number:	2011-NS-BX-K002
Grantee Name:	Office of Court Administration	Award Amount:	\$547,039.00
Grantee Type:	State Government Agency		
Address:	205 W 14th, Suite 600 Austin, Texas 78701		
Contact Person:	Mary Cowherd	Telephone #:	512-463-1629
Contact Address:	205 W 14th, Suite 600 Austin, Texas 78701		
DOJ Grant Manager:	Stephanie L. Burroughs	DOJ Telephone #:	202-514-9012

Policy Statement:

The Office of Court Administration (OCA) upholds equal employment opportunity for all employees and applicants for employment, regardless of their race, color, religion, national origin, sex, age, or disability. Employment decisions including but not limited to recruitment, hiring, selections, appointments, performance evaluations, training, promotion, discipline, termination, and salary actions shall be made on the basis of nondiscriminatory factors, and the human resources officer shall review all such decisions for equal employment opportunity compliance.

"see attachment"

Step 4b: Narrative Underutilization Analysis

The results of this Utilization Analysis Chart indicate underutilization of White Males in the Professionals category.

The Office of Court Administration (OCA) upholds equal employment opportunity for all employees and applicants for employment, regardless of their race, color, religion, national origin, sex, age, or disability. Employment decisions including but not limited to recruitment, hiring, selections, appointments, performance evaluations, training, promotion, discipline, termination, and salary actions shall be made on the basis of nondiscriminatory factors, and the human resources officer shall review all such decisions for equal employment opportunity compliance.

Every 6 years, OCA's personnel policies and procedures are audited by the Civil Rights Division (CRD) of the Texas Workforce Commission (TWC).

If policies or procedures are not in compliance with Chapter 21 of the Texas Labor Code, including the Texas Commission on Human Rights Act, the CRD works with the agency to resolve any deficiencies in a timely manner.

OCA's last audit was conducted on December 12, 2007 and did not indicate any deficiencies in OCA's personnel policies or procedures.

(see report attached)

Step 5 & 6: Objectives and Steps

1. Our objective is to continue to encourage all qualified individuals to apply for vacancies at OCA.

a. The Office of Court Administration will continue to review all employment data related to the Professional job category to identify any issues that may pose barriers to qualified White males in the Professionals job category.

Step 7a: Internal Dissemination

The Office of Court Administration will send electronic and hard copy memoranda to every employee stating that a copy of the EEOP Short Form is available on request in the recipient's human resources office.

Step 7b: External Dissemination

The Office of Court Administration will post a copy of the EEOP Short Form on our public website.

Utilization Analysis Chart
Relevant Labor Market: Texas

Job Categories	Male							Female						
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races
Officials/Administrators														
Workforce #/%	3/50%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	2/33%	1/17%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	655,045/48%	126,165/9%	42,910/3%	2,990/0%	25,210/2%	330/0%	5,255/0%	360,025/26%	87,210/6%	48,090/4%	2,235/0%	12,680/1%	180/0%	2,505/0%
Utilization #/%	2%	-9%	-3%	-0%	-2%	-0%	-0%	7%	10%	-4%	-0%	-1%	-0%	-0%
Professionals														
Workforce #/%	33/20%	18/11%	4/2%	0/0%	1/1%	0/0%	0/0%	61/37%	31/19%	14/9%	1/1%	0/0%	0/0%	0/0%
CLS #/%	601,115/34%	100,105/6%	51,735/3%	2,730/0%	54,995/3%	385/0%	5,820/0%	650,975/37%	134,830/8%	93,920/5%	3,490/0%	39,380/2%	355/0%	4,685/0%
Utilization #/%	-14%	5%	-1%	-0%	-3%	-0%	-0%	0%	11%	3%	0%	-2%	-0%	-0%
Technicians														
Workforce #/%	5/56%	1/11%	0/0%	0/0%	0/0%	0/0%	0/0%	1/11%	0/0%	0/0%	1/11%	1/11%	0/0%	0/0%
CLS #/%	69,305/30%	22,465/10%	8,865/4%	540/0%	4,240/2%	50/0%	685/0%	73,795/32%	24,390/11%	19,880/9%	530/0%	4,340/2%	35/0%	740/0%
Utilization #/%	25%	1%	-4%	-0%	-2%	-0%	-0%	-21%	-11%	-9%	11%	9%	-0%	-0%
Protective Services: Sworn														
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	92,440/50%	34,035/11%	19,520/10%	625/0%	965/1%	95/0%	770/0%	18,855/10%	7,175/4%	11,420/6%	180/0%	235/0%	0/0%	160/0%
Utilization #/%														
Protective Services: Non-sworn														
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
Civilian Labor Force #/%	2,285/25%	1,000/11%	690/7%	4/0%	4/0%	0/0%	35/0%	2,995/32%	1,450/16%	755/8%	15/0%	45/0%	0/0%	25/0%
Utilization #/%														
Administrative Support														
Workforce #/%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	3/27%	5/45%	3/27%	0/0%	0/0%	0/0%	0/0%
CLS #/%	494,520/20%	200,735/8%	87,480/4%	2,820/0%	22,670/1%	605/0%	5,545/0%	993,875/40%	410,195/17%	204,385/8%	6,230/0%	31,410/1%	890/0%	8,680/0%

Job Categories	Male							Female						
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races
Utilization #/%	-20%	-8%	-4%	-0%	-1%	-0%	-0%	-13%	29%	19%	-0%	-1%	-0%	-0%
Skilled Craft														
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	537,465/51%	379,335/36%	60,715/6%	4,445/0%	13,170/1%	365/0%	4,675/0%	31,970/3%	18,795/2%	7,385/1%	400/0%	4,685/0%	35/0%	490/0%
Utilization #/%														
Service/Maintenance														
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	633,420/24%	683,595/26%	195,640/7%	5,520/0%	30,535/1%	880/0%	7,880/0%	420,605/16%	427,010/16%	162,520/6%	4,110/0%	31,165/1%	590/0%	5,555/0%
Utilization #/%														

Significant Underutilization Chart

Job Categories	Male							Female						
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races
Professionals	✓													

I understand the regulatory obligation under 28 C.F.R. 42.301-.308 to collect and maintain extensive employment data by race, national origin, and sex, even though our organization may not use all of this data in completing the EEOP Short Form.

I have reviewed the foregoing EEOP Short Form and certify the accuracy of the reported workforce data and our organization's employment policies.



[signature]

HR Director

[title]

9/22/11

[date]

Office of Court Administration

Equal Employment Opportunity Policy

December 18, 2007

Approved by:



Carl Reynolds

Office of Court Administration Equal Employment Opportunity Policy Statement

The Office of Court Administration (OCA) upholds equal employment opportunity for all employees and applicants for employment, regardless of their race, color, religion, national origin, sex, age, or disability. Employment decisions including but not limited to recruitment, hiring, selections, appointments, performance evaluations, training, promotion, discipline, termination, and salary actions shall be made on the basis of non-discriminatory factors, and the human resources officer shall review all such decisions for equal employment opportunity compliance. This policy statement shall be prominently displayed in the human resources office and on the agency's internal policy website.

OCA prohibits workplace harassment or offensive conduct related to any person's race, color, religion, national origin, sex, age, or disability. Employees are required to report illegal conduct or violation of this EEO policy or the anti-harassment policy to their supervisor, the human resources officer, any division director, or their presiding judge. Employees who are found to have violated this policy will be subject to disciplinary action, up to and including dismissal. Retaliation against any employee because of a report or complaint of violation of this policy is prohibited, and the agency supports the rights of all employees to exercise their rights under the civil rights statutes. However, disciplinary action against employees who have violated agency policy or who are not performing up to acceptable standards will not be stayed merely by the filing of a discrimination, harassment, or hostile work environment complaint.

In accordance with State law, all employees will receive training on prevention of discrimination and harassment in the workplace within 30 days of initial employment and every two years thereafter. A signed record of training will be maintained in each employee's personnel file. The human resources officer will conduct a review of agency personnel policies and procedures at least every two years to ensure compliance with equal employment opportunity requirements and will recommend any appropriate changes.



OFFICE OF COURT ADMINISTRATION

Carl Reynolds
Administrative Director

January 8, 2008

The Honorable Rick Perry, Governor
The Honorable David Dewhurst, Lieutenant Governor
The Honorable Tom Craddick, Speaker of the House
Mr. John O'Brien, Director, LBB
Mr. Robert Gomez, Texas Workforce Commission

Re: Texas Workforce Commission Civil Rights Division Review of Personnel Policies and Procedural Systems

Pursuant to the requirements contained in Texas Labor Code, Section 21.454, I am pleased to report that the Office of Court Administration has undergone a review of our personnel policies and procedures by the Texas Workforce Commission Civil Rights Division. The Division has certified us as compliant in all categories as is reflected in the attached document.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Reynolds".

Carl Reynolds
Administrative Director

Attachment: Certificate of Compliance



**Texas Workforce Commission
Civil Rights Division**

CERTIFICATE OF COMPLIANCE

THIS IS TO CERTIFY THAT THE PERSONNEL POLICIES AND PROCEDURAL SYSTEMS OF **THE OFFICE OF COURT ADMINISTRATION** WERE REVIEWED AND DETERMINED TO BE IN COMPLIANCE WITH THE TEXAS COMMISSION ON HUMAN RIGHTS ACT.

<u>Personnel Policy</u>	<u>Certification Result</u>	<u>Comments</u>
Hiring and Promotions	C	
Performance Evaluations	C	
Disciplinary Actions	C	
Work Place Accommodations	C	
EEO Policy including Sexual Harassment	C	
Compensation (only applicable for public Institutions and systems of higher education)		

Key:

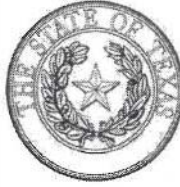
C = Certified as compliant with the Texas Commission on Human Rights Act
FPC = Factors Preventing Certification

Disclaimer: Texas Commission on Human Rights' certification is applied to the personnel policy and procedural systems as they are currently used. If policies are revised, the revised policies may or may not be in compliance with the Texas Commission on Human Rights Act.

December 19, 2007
Date of Certification


Robert Gomez
Division Director

101 East 15th Street, Rm. 144-T
Austin, TX 78778-0001
www.twc.state.tx.us

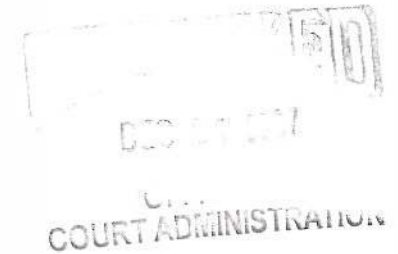


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**Texas Workforce Commission
Civil Rights Division**

December 19, 2007

Mr. Carl Reynolds
Office of Court Administration
Administrative Director
205 W. 14th St, Ste. 600 78701
P.O. Box 12066
Austin, Texas 78711-2066



Dear Mr. Reynolds:

Re: CERTIFICATION LETTER
Texas Workforce Commission Civil Rights Division Review of Personnel Policies
and Procedural Systems

Pursuant to the Texas Labor Code, §§ 21.451-456, the Texas Workforce Commission Civil Rights Division (the Division) has reviewed the personnel policies and procedural systems of the Office of Court Administration to determine their compliance with the Texas Commission on Human Rights Act (the Act). The Division certifies that the personnel policies and procedural systems of the Office of Court Administration are in compliance with the Act. A certificate of compliance is attached.

As specified in the Texas Labor Code, § 21.454, your agency should submit a report to the Governor, the Legislature, the Legislative Budget Board, and the Division within 60 days. A sample report format is attached.

If you have any questions, please contact Tony Robertson, Manager of Training and Monitoring/ADR at (512) 463-4678.

Sincerely

A handwritten signature in black ink, appearing to read "Robert Gomez".

Robert Gomez
Division Director

Attachments: Certificate of Compliance
Sample Report Format



**TEXAS WORKFORCE COMMISSION
 CIVIL RIGHTS DIVISION**

PERSONNEL POLICIES AND PROCEDURES CHECKLIST

Agency/Institution: Texas Workforce Commission

Address: Office of Court Administration
 Austin, Texas 78711-2066

Date of Initial On-Site Conference: 12 December, 2007

Reviewer: Dennis R. Swinney

HIRING /PROMOTION POLICY	Chapter/ Page	Yes/No or N/A
<p>1. <u>Recruiting Plan:</u></p> <p>a. Has the agency conducted an analysis of its current workforce and compared the number of African Americans, Hispanic Americans and females in each job category to the available statewide civilian workforce to determine the percentage of exclusion or underutilization by each category? (TLC § 21.501)</p>		Y
<p>b. Based on the workforce analysis, or court ordered remedies, or supervised conciliation agreements, has the agency developed a plan to recruit qualified African Americans, Hispanic Americans and females? (TLC § 21.502)</p>		Y
<p>c. Has the agency implemented the plan?</p>		Y
<p>2. <u>Job Advertisements:</u></p> <p>a. Do policies prohibit job advertisements that would indicate a preference, limitation, specification or discrimination based on race, color, national origin, religion, sex, age or disability? [TLC § 21.059(a)]</p>		Y
<p>b. If no, does a bona fide occupational qualification exist for disability, religion, sex, national origin or age? [TLC § 21.059(b)]</p>		Y
<p>3. <u>Hiring Procedures:</u></p> <p>a. Has the agency published written selection procedures? (TLC § 21.452)</p>		Y
<p>b. Do policies prohibit, because of race, color, national origin, religion, sex, age or disability, failure or refusal to hire an individual? [TLC § 21.051(1)]</p>		Y

c. Do written selection procedures incorporate a workforce diversity program and ensure that all selection decisions are made only on lawful, job related and non-discriminatory criteria? (TLC § 21.452)		Y
(1) Are position descriptions published for each job and are job advertisements based on required education; experience; and knowledge, skills, and abilities listed in the position description? (ADA, Section 101.8;)		Y
(2) Does the policy include clear guidance for an applicant screening device or selection matrix to be used to objectively compare an applicant's qualifications to a job advertisement and to other applicants for the position?		Y
(3) Do procedures include guidance on developing interview questions that cover objective, job related criteria and provide information on the applicant's knowledge and competencies to perform the job?		Y
(4) Do procedures require a review of each hiring action for EEO compliance?		Y
d. Does the review of samples of hiring actions indicate that the agency implemented the selection procedures? (TLC § 21.452)		Y

SECTION SUMMARY

Comments:

Recommendations:

 X Certified as in compliance with Chapter 21, Texas Labor Code

 Factors preventing certification of compliance with Chapter 21, Texas Labor Code

PERFORMANCE EVALUATION POLICY	Chapter/ Page	Yes/No or N/A
1. Has the agency published a performance evaluation policy? (TLC § 21.452)		Y
2. Does the agency's policy prohibit discrimination against an individual in connection with the terms, conditions or privileges of employment because of race, color, national origin, religion, sex, age or disability? [TLC § 21.051 (1)]		Y
3. Does the agency's policy prohibit limiting, segregating or classifying an employee in a manner that would deprive or tend to deprive an individual of any employment opportunity or adversely affect in any other manner the status of the employee because of race, color, national origin, religion, sex, age or disability? [TLC § 21.051 (1)]		Y
4. Does the agency's policy ensure that performance appraisals are based only on lawful, job related and non-discriminatory criteria? (TLC § 21.452)		Y
a. Does the policy require that documentation be developed to substantiate an individual's rating with regard to duties and compliance with policies, procedures, and rules?		Y
b. Does the policy require that evaluations be based on specific objective, measurable and consistently applied criteria?		Y
c. Does the policy require a review of performance evaluations for EEO compliance?		Y
5. Does the review of samples of performance evaluations indicate that the agency has implemented the procedures? (TLC § 21.452)		Y

SECTION SUMMARY

Comments:

Recommendations:

Certified as in compliance with Chapter 21, Texas Labor Code

Factors preventing certification of compliance with Chapter 21, Texas Labor Code

DISCIPLINARY ACTIONS POLICY	Chapter/ Page	Yes/No or N/A
1. Has the agency published a disciplinary actions policy? (TLC § 21.452)		Y
2. Does the agency's policy prohibit discrimination against an individual in connection with the terms, conditions or privileges of employment because of race, color, national origin, religion, sex, age or disability? [TLC § 21.051 (1)]		Y
3. Does the agency's policy prohibit limiting, segregating or classifying an employee in a manner that would deprive or tend to deprive an individual of any employment opportunity or adversely affect in any other manner the status of the employee because of race, color, national origin, religion, sex, age or disability? [TLC § 21.051 (1)]		Y
4. Does the agency's policy ensure that disciplinary actions are based only on job related and non-discriminatory criteria? (TLC § 21.452)		Y
a Does the policy require that disciplinary actions be based only on job performance and job related conduct?		Y
b Does the policy require documentation (i.e. performance evaluation, counseling, etc.) of the employee's actions that resulted in the disciplinary action?		Y
c Does the policy prescribe progressive discipline and provide criteria for by-passing lesser disciplinary measures for severe misconduct?		Y
d Does the policy require a review of disciplinary actions for EEO compliance?		Y
5. Does the review of samples of disciplinary actions indicate that the agency has implemented the procedures? (TLC § 21.452)		Y

SECTION SUMMARY

Comments:

Recommendations:

 X Certified as in compliance with Chapter 21, Texas Labor Code

 Factors preventing certification of compliance with Chapter 21, Texas Labor Code

WORKPLACE ACCOMODATION POLICY	Chapter/ Page	Yes/No or N/A
1. Has the agency published a work place accommodation policy? (TLC § 21.452)		Y
2. Does the policy include provisions for the requesting employee to provide a medical statement that contains diagnosis, prognosis and major life function that is substantially limited and the effect that the impairment has on the employee's ability to perform his/her job duties?		Y
3. Does the policy include a definition of "Disability" that is consistent with Chapter 21, Texas Labor Code? [TLC § 21.001(6)].		Y
4. Does the policy include provisions for making reasonable workplace accommodations for qualified individuals with disabilities? [TLC § 21.128(a)]		Y
5. Does the policy explain the term "qualified individual with a disability"? [TLC § 21.128(a)].		Y
6. Does the policy contain an explanation of "undue hardship" and explain that disapproval of requests for accommodation are based on undue hardship to the agency to include (a) impact on operations and business; (b) cost factors involved; and (c) the effect on the safety of the requestor or other individuals? [TLC § 21.128(a)]		Y
7. Does the review of samples of requests for accommodation indicate that the agency has implemented the procedures? (TLC § 21.452)		Y

SECTION SUMMARY

Comments:

Recommendations:

X _____ Certified as in compliance with Chapter 21, Texas Labor Code

_____ Factors preventing certification of compliance with Chapter 21, Texas Labor Code

EEO POLICY INCLUDING SEXUAL HARASSMENT	Chapter/ Page	Yes/No Or N/A
1. <u>EEO Policy:</u>		Y
a. Has the agency published an equal employment opportunity policy? (TLC § 21.452)		Y
b. Does the policy prohibit discrimination based on race, color, national origin, religion, sex, age, or disability? (TLC § 21.051)		Y
c. Does the EEO policy require a training program that provides employees information regarding the agency's policies and procedures relating to employment discrimination to include sexual harassment? (TLC § 21.010)		Y
d. Does the EEO policy require that new employees receive training within 30 days after their date of hire? (TLC § 21.010)		Y
e. Does the EEO policy require that employees receive supplemental training every two years? (TLC § 21.010)		Y
f. Does the EEO policy require that employees who attend the training sign a statement verifying attendance at the training program? (TLC § 21.010)		Y
g. Does the EEO policy prohibit retaliation against a person who opposes a discriminatory practice, files a charge, or testifies assists or participates in an investigative proceeding or hearing? (TLC § 21.055)		Y
2. <u>Sexual Harassment Policy:</u>		Y
a. Has the agency published a sexual harassment policy? (TLC § 21.452)		Y
(1) Does the policy define the term "sexual harassment" based on state and federal laws?		Y
(2) Does the policy include procedures for instituting immediate and corrective actions if prohibited conduct occurs?		Y
(3) Does the policy include procedures for continued monitoring of the circumstances surrounding the complaint to ensure the situation has been remedied?		Y
(4) Has the policy been disseminated to all employees?		Y
b. Has the agency developed and implemented complaint procedures? [<i>Faragher v. City of Boca Raton, 118 S. Ct. 2275 (1999)</i>]		Y
c. Do the complaint procedures allow employees to bypass harassing supervisors? [<i>Faragher v. City of Boca Raton, 118 S. Ct. 2275 (1999)</i>]		Y

d. Does the review of samples of personnel actions indicate that the agency has implemented the EEO/Sexual Harassment policies? (TLC § 21.452)		Y
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SECTION SUMMARY

Comments:

Recommendations:

Certified as in compliance with Chapter 21, Texas Labor Code

Factors preventing certification of compliance with Chapter 21, Texas Labor Code

COMPENSATION POLICY – for Institutions of Higher Education Only	Chapter/ Page	Yes/No or N/A
1. Has the institution published a compensation policy? (TLC § 21.452)		NA
a. Does the policy identify the type of compensation previously applied to other employees in like or similar positions?		NA
b. Is there a provision for review of compensation criteria and application to ensure EEO compliance?		NA
2. Does the institution apply different standards of compensation under a bona fide seniority system, merit system or an employee benefit plan? [TLC § 21.102(a)(1)]		NA
3. Do the institution's policies prohibit discrimination against an individual in connection with compensation because of race, color, national origin, religion, sex, age or disability? [TLC § 21.051(1)]		NA
4. Do the institution's policies prohibit limiting, segregating or classifying an employer in a manner that would deprive or tend to deprive an individual of any employment opportunity or adversely affect in any other manner the status of the employee because of race, color, national origin, religion, sex, age or disability? [TLC § 21.051(2)]		NA
5. Does the review of samples of personnel actions indicate that the agency has implemented the compensation policy? (TLC § 21.452)		NA

SECTION SUMMARY

Comments:

Recommendations:

NA Certified as in compliance with Chapter 21, Texas Labor Code


NA Factors preventing certification of compliance with Chapter 21, Texas Labor Code



Signature of Policy Reviewer

12/19/07
Date

Approved:



Operations Manager

19 Dec 07
Date