

Employment Discrimination Bureau  
2<sup>nd</sup> Quarter Performance Review 2016/2017  
6th floor CR, Old Revenue Building  
February 6, 2017 at 3:00 PM

Attendees: Art Britt, Phil Hooper, Tiffany Lathan and Jessica McBride  
Scribe: Charity Locklear

**Reviewed EDB's Strategic Plan Report and statistics.**

All standards were met for FY 2016/2017 except:

- 1.4 – Each investigator will complete 80 REDA investigations by June 30, 2017.
- In progress.
  - All but one of the investigators are on target to reach this goal. The investigator is about 10 cases behind for closing enough cases to reach FY end goal. Possibly the investigator may be able to catch up and meet goal by June 30, 2017.
- 2.3 - # of open cases in inventory
- In progress.
  - The standard is 350. YTD inventory for the 2<sup>nd</sup> Quarter is 421 and as of today the inventory is 432 cases.
  - EDB continues to strive to reduce case backlog. Art – Will EDB reach this goal by the end of the FY? Tiffany – No.

**Reviewed Bureau Performance Charts for 2nd Quarter FY 2016-2017**

**Settlement**

A settlement is whatever is agreed upon by the complainant and the employer. Most of the time the settlement has a monetary value, but in some cases the complainant has gotten their job back. The complainant can also receive a Merit Right to Sue letter and take the case to court on their own.

**Complaints Received**

The average of complaints received for the 2<sup>nd</sup> Quarter is 37%. Phil – Do you receive more than 400 cases per year? Tiffany – Yes, most of the cases that EDB receives are OSH cases.

**Complaints Completed**

An average of 34% of the open complaints were completed during the 2<sup>nd</sup> Quarter. 23 cases were completed in December, 2016. Phil – EDB is receiving more cases than they are completing. Art – What is the difference in the completions? Tiffany – Some investigators prefer to negotiate a settlement than others.

**Monthly Inventory**

The average monthly inventory for the 2<sup>nd</sup> Quarter is 407 and 410.83 as an average for the FY. Today the inventory is at 432. EDB investigators work on the OSH cases while still working on reducing the backlog of non-OSH cases.

### **Percent Closed In 90 Days**

94% of complaints were closed within 90 days and 86.83% for the FY.

Phil – EDB is receiving 4 more than they are closing. Tiffany – The Statute suggests that each case be closed within 90 days of opening. The performance evaluation suggests all cases be closed within 180 days. Art – Why is the State Statute different than the requirements in NCVIP? Tiffany – The 90 days is what the Federal Statute suggests. The State Statute has to be as effective as the Federal Statute. The 90 days is what the Federal Statute suggests.

### **Settled Percentage**

46% of complaints were settled in the 2<sup>nd</sup> Quarter and 37.27 for the FY.

Art – The reports for settlements are based on a percentage and completed cases are based on an average. Tiffany – Yes.

### **Age of Completed Cases by EDB Investigators**

There are 5 cases that are over 181 days. Some cases have factors that cause the case to go past the 180+ day mark due to case difficulties and attorneys.

### **Average Days From Assigned To Completed by Investigator**

The average days from case assignment to completed is reflected on the chart. Note: One investigator was working on a special case that was re-assigned per request of the complainant.

### **Closed OSHA Cases by Investigator**

OSHA cases were closed for the 2<sup>nd</sup> Quarter. Phil – Is there a reason that Dorothy receives more OSHA cases? Tiffany – No. All cases are logged in and assigned evenly by Jessica to the investigators. Tiffany has 8 OSH cases assigned to her. Tiffany hopes to close 3 of the 8 OSH cases soon. Phil – What is the difference in OSH cases and non-OSH cases? Tiffany – When working an OSHA cases, the OSHA Manual has to be followed step-by-step. There are several steps that are time consuming such as the redactions and the exchange of information and there are deadlines that have to be met. Phil – What if an OSHA case goes over the 180 days? Tiffany – Nothing happens. EDB tries to complete the case from beginning to end by 180 days.

### **OSHA Case Process**

Jessica presented a chart outlining the OSHA Case Process.

### **EDB OSHA Disclosure Certification for Investigators**

Tiffany provided a new Certification form letter that has been implemented for an additional layer of disclosure protection for the investigators and the EDB Bureau Chief.

### **OSHA 100 Class**

The OSHA 100 class is going to be held on February 22, 2017 at Labor's Lake Boone Trail location. Jeff Hand will present the pre-existing training slides. Phil – The slides are already made and Corey will give the updated slide information to present.

**Employee Recognition Committee**

Jeff is the ERC representative for 2017.

The next EDB Quarterly Performance Review meeting will be held on April 25, 2017 at 3:00 P.M. in the 6<sup>th</sup> floor CR, ORB.