

Employment Discrimination Bureau
4th Quarter and End-of FY 2016-2017 Performance Review
6th floor CR, Old Revenue Building
July 25, 2017 at 3:00 PM

Attendees: Art Britt, Phil Hooper, Christine Ryan, Jessica McBride and Adriana Jordan
Scribe: Charity Locklear

Reviewed EDB's Strategic Plan Report and statistics.

All standards were met for FY 2016/2017 except Objectives 1.4 and 2.3:

1.1 - Complete at least 85% of Non OSHA complaints within 90 days from date assigned by June 30, 2017.

- Standard 85%.
 - ✓ 95% completed.

1.2 – Complete 90 % of all complaints within 180 days of date assigned.

- Standard 90%.
 - ✓ 94% completed.

1.3 – Obtain 8% of settled cases by June 30, 2017.

- Standard 8%.
 - ✓ 32% settled.

1.4 – Each investigator will complete 80 REDA investigations by June 30, 2017.

- Standard 80 cases.
 - ❖ 3 investigators exceeded their goals, one did not meet this goal. Did not meet objective.

2.1 - # of days from date the complaint is assigned to an investigator for contact to be made with the complainants and respondents.

- Standard 20 days.
 - ✓ Contact made within 20 days to Complainants and Respondents.

2.2 - # of days to complete an internal review of a Customer Service Complaint reviewed by the Bureau Chief and sent to Legal Affairs to review.

- Standard 3 days.
 - ✓ Customer Service Complaints were reviewed by Bureau Chief and sent to Legal within 3 days.

2.3 - # of open cases in inventory

- Standard 275
 - ❖ Number of open cases in inventory 394. Did not meet objective.

3.1 - % of combined safety and health committee meetings attended for Employment Discrimination and Wage and Hour.

- Standard 100%
 - ✓ 100% attendance to safety and health committee meetings.

3.2 - # of site inspections conducted in Bureau controlled spaces in accordance with Policy 2.

- Standard is Quarterly
 - ✓ 100% of the 4 quarterly safety inspections were conducted.

3.3 – Review of Policy 9 with Supervisors and Staff.

- Standard Annually.
 - ✓ 100% of staff received review of Policy 9 in FY 2016/2017.

3.4 – Follow prescribed procedures for investigating and reporting injuries, occupational illnesses, violence or criminal activity.

- Standard Policy 9.
 - ✓ 100% of the prescribed procedures were followed during FY 2016/2017.

Reviewed Bureau Performance Charts for 4th Quarter and FY 2016-2017.

Objectives to be removed from current Goals

Objective 2.2 is going to be removed from the Goals and Objectives for FY 2017-2018.

Objective 1.3 is % of settled cases which include cases that are settled outside of REDA by a 3rd party. Christine is going to track the number of complaints settled by the complainant and the investigator. Why are 3rd party settlements being counted by investigators as a settlement? Phil – Can the number of the settlements for investigators and 3rd party settlements be broke out? Christine – The data can be looked at. Training needs to be given to the investigators on mediation and investigation. Phil – Does OSHA provided mediation training? Christine – For the short term, Christine wants trained investigators just focusing on investigating and on settling cases.

Complaints Received

71 complaints were received in the 4th Quarter and an average of 33% for FY 2016-2017.

Complaints Completed

80 cases were completed for the 4th Quarter and an average of 33% for FY 2016-2017.

Cases Received and Completed

The average for complaints received and completed for end-of- FY 2016/2017 is 33%. Christine – For this chart, EDB wants the orange line number to be higher than the blue line number. There were not enough instances where the orange bar was higher than the blue bar. EDB completed the same number of cases that were received during FY 2016-2017.

Monthly Inventory

The average monthly inventory for the 4th Quarter is 394 and 405 is the average for the end-of- FY 2016-2017. These numbers reflect cases that have not been completed. EDB doesn't have enough staff to

Division/Bureau: Standards and Inspections/Employment Discrimination

Form Name: 4th Quarter & FY 2016-2017 Performance Review

Date Revised: 7/25/2017

Document Owner: Charity Locklear

close cases at full capacity. EDB needs to hire 2 more investigators, 1 administrative person and a deputy administrator in order to get inventory under control.

Art – Do complaint come in from the 1-800 line? Jessica – Some calls do come from in-house or other State agencies and from all over the State. Maybe 5% of all the calls Jessica receives are actually REDA calls. Christine – An additional administrative assistant needs to be hired to screen calls so Jessica can do her job putting together the files and doing her administrative duties. Phil – Information officers used to do the job Jessica is currently doing. So, once an administrative assistant is hired then Jessica can do her job and the investigators can do theirs.

Percent Closed In 90 Days

The average for the percent of cases closed for the 4th Quarter is 74% and 82% were closed within 90 days for end-of-FY 2016-2017. A lot of the cases closed within 90 days were issued a 90 Right to Sue letter.

Settled Percentage

28% of complaints were settled in the 4th Quarter and 33% for end-of- FY 2016-2017.

Cases Completed Cases by Investigator

Three out of 4 investigators met the 80 cases completed goal set for FY 2016-2017. The newest investigator exceeded the 80 case completion goal in less than the FY timeframe to meet goal.

Age of Completed Cases by Investigator

There were 12 cases over 181 days. 1 investigator had 1 case 181+ and 1 investigator had 11 cases 181+. 325 cases total were completed by investigators for FY 2016-2017.

Closed OSHA Cases by Investigator

86 OSHA cases were closed by the end-of-FY 2016-2017. Phil – How are OSHA cases assigned? How come Dorothy has more OSHA cases assigned to her? Jessica – Cases are assigned based on case assignment. Wanda sent an e-mail with the quarterly numbers for OSHA cases. OSHA cases get assigned immediately to an investigator. Wage and Hour and Worker's Compensation cases may sit in queue for 2 years. Christine is going to implement a requirement to ensure all complainants receive regular contact from the investigator.

EDB stored case information electronically and not on On-Base. EDB is now storing case information in On-Base and it is working well. Phil – Everyone will have access to the new system on On-Base. Jessica – Yes.

The next EDB Quarterly Performance Review meeting will be held on October 31, 2017 at 10:30 in the 6th floor CR, ORB.