

Employment Discrimination  
End-of-FY 2015—2016 Performance & 4th Quarter Review  
6th floor CR, Old Revenue Building  
August 9, 2016 at 2:30 PM

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

**Tiffany Lathan reviewed EDB's End-of-FY and Strategic Plan Report and statistics.**  
All standards were met for FY 2015-2016 except:

- 1.2 – Complete 100% of all complaints within 180 days of date assigned.
  - EDB was unable to reach 100% of this goal.
- 1.4 – Each investigator will complete 80 REDA investigations by June 30, 2016.
  - EDB did not meet this goal for the 4<sup>th</sup> quarter. Four investigators have reached their goal and one has not.
- 2.3 – Number of open cases in inventory. (The standard is 275)
  - YTD Actual is 394.
  - EDB continues to strive to reduce case backlog.

**Reviewed Bureau Performance Charts (Note: The charts include an additional two months for the rating period, as well as, FY 2015-2016.**

**Note:**

Next FY 2016-2017 will be a reflection of July 1, 2016 – June 30, 2017.

**Complaints Received**

31.36% of complaints were received during the 14 months rating period of 2015 – 2016 and 31.33% were received in the 4<sup>th</sup> Quarter.

**Complaints Completed 2013-2016**

28.93% of complaints were completed during the 14 months rating period for 2015 – 2016 and 17.67% for the 4<sup>th</sup> Quarter.

**Monthly Inventory**

361.21 was the average inventory for the 14 months rating period for 2015 – 2016 and 381 for the 4<sup>th</sup> Quarter.

The monthly inventory as of August 9<sup>th</sup> is 420. Art – Why is there an increase in cases recently? Tiffany – Legal directs EDB to take all but 10% of workplace violence complaints received. Seven Workplace Violence cases were opened this week. Once the case is screened and deemed valid, Jessica sets up the case file for the investigation.

### **Percent Closed In 90 Days Rating Period**

83.93% of complaints were completed for the 14 months rating period for 2015 – 2016 and 81.33% for the 4th Quarter.

### **Settled Percentage**

28.09% of complaints were settled for the 14 months rating period for 2015 – 2016 and 43.70% for the 4th Quarter.

Tiffany – Settled means best resolution of the case, such as, getting the complainant's job back, receiving a monetary settlement. The complainant can also receive a Merit Right to Sue letter and take the case to court on their own.

Cases can be closed if the complainant is uncooperative.

### **Site Visits**

Jeff and Dorothy went out on a site visit and Jeff and Julie went on a site visit.

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

All but one investigator closed 80 cases required by the 14 month workplan. The investigator that didn't reach the 80 cases completed 60 cases. Art – Why didn't the investigator reach the 80 case goal?

Tiffany – Medical leave taken during the workplan year and the death of her father.

### **Staff**

Jeff Hand is the newest investigator and will be in the new FY2016 – 2017 evaluation year.

EDB currently has (4) investigators total. Tiffany is finalizing the paperwork for the new hire replacement for Irene's old position. The selected candidate does speak Spanish.

Don Turnham turned down the opportunity to work part-time for EDB. The last correspondence Tiffany received was via e-mail. Don's concerns were in regards to pay and parking.

### **All Closed Cases By All EDB Investigators 2013 -2015**

2015 – There were (9) investigators and now EDB is working with (3) plus (1) new hire. The Total of cases closed for 2015 is 405 cases.

### **Age of Completed Cases By Investigator**

12 cases out of 385 cases are greater than 180 days old.

### **Reason for Cases Over 180 Days**

Reasons for the investigation going over 180 days: Attorney, Mediation/Settlement, Uncooperative.

Examples:

1. Kevin Bray file – High Profile Case-Complex-Under Legal Review.
  - The case file has been over at Legal for 2 - 3 weeks for review. The complaint is against the Town of Kernersville and is a large case (2) binders thick. Phil – Check with Legal to

see where they are on the review process. Tiffany – The Town of Kernersville will ask for a disclosure on the case file.

2. Estes file – Delayed because of legal review of the Bray case file.

### **OSHA Complaints**

There were a total of 54 OSHA cases closed by EDB investigators. The charts do not include OSHA cases closed by Tiffany.

### **Goals and Objectives**

Art – EDB is well above average on objective 1.3. Phil – Increase the number for this objective. Tiffany – Will look at the average of all cases. Phil – The Federal doesn't have an average goal for settled OSHA cases.

Goal 2.2 – Tiffany is looking at changing the days to 15 days for response to complaints.

### **Training Manual**

Tiffany is currently doing a checklist draft for training a new investigator.

### **Staff Meeting**

EDB is going to have their staff meeting on September 13, 2016 the day before the All Employee Banquet. The EDB staff will be available on September 13<sup>th</sup> and 14<sup>th</sup> if Commissioner Berry would like to stop in on the staff meeting or come by to see the staff after the meeting or early on the 14<sup>th</sup>.

### **Whistle Blower Training**

The new employee, Jeffrey Hand, is already signed up to go to OSHA Whistle Blower training, November 14<sup>th</sup> thru the 20<sup>th</sup>, 2016 in Arlington Heights, Illinois.

The next EDB Quarterly Performance Review meeting will be held on October 19, 2016 at 3:00 P.M. in the 6<sup>th</sup> floor CR, ORB.