

Council on Law Enforcement Education and Training

FY-2010 AFFIRMATIVE ACTION PLAN

September 1, 2010

1.1 Policy Statements

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING POLICY STATEMENT ON AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY

The Council on Law Enforcement Education and Training (CLEET) consistently operates in compliance within federal and state laws and guidelines established for equal employment opportunity and affirmative action. As CLEET's Executive Director I affirm our commitment to a continuing policy to provide equal employment and advancement opportunity in all job classifications of this agency without regard to age, sex, race, color, religion, marital status, national origin, political affiliation or opinion, or disability so long as the disability does not render the person unable to do the work for which employed.

The principles of equal employment opportunity apply to all employment practices and personnel actions throughout the agency, including recruiting, hiring, promotions, demotions, separations, training, transfers, layoffs (RIF), recall, compensation, benefits and all other terms and conditions of employment. As such all personnel actions as well as all decisions relating to employment practices are to be made in accordance with the spirit of equal employment opportunity for all.

Associate Director/General Counsel Kimberly Richey, serves as the Affirmative Action/Equal Employment Opportunity Officer for this agency. Kimberly Richey is available to any employee having questions or needing assistance in regards to affirmative action or equal employment opportunity in this agency. Ms. Richey can be reached at (405) 239-5114, e-mail address Kimberly.Richey@cleet.state.ok.us

CLEET has developed an affirmative action plan aimed at achieving our equal employment opportunity goals. EEO Coordinator and Agency Comptroller, Steven Floyd, has been delegated the responsibility of implementing the plan, including monitoring and evaluating our progress. Mr. Floyd can be reached at (405) 239-5155, e-mail address Steven.Floyd@cleet.state.ok.us.

As CLEETS's Executive Director, my personal commitment to this policy is complete. I accept overall responsibility for equal employment opportunity and affirmative action within this agency. I expect every employee to perform his/her duties and responsibilities in a manner that will demonstrate this agency's firm commitment in this most important area.

Signature of Appointing Authority
Dr. Larry Birney, Director
September 1, 2010

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING POLICY AGAINST SEXUAL HARASSMENT

September 1, 2010

The Council on Law Enforcement Education and Training (CLEET) is dedicated to prospect that each employee has the right to the opportunity and privilege of working in an environment free of fear including all fears that may be associated with sexual harassment. Sexual harassment is a form of unlawful and at times criminal discrimination or behavior based on sex and is strictly prohibited within the CLEET organization.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Conduct prohibited by this policy includes, but is not limited to: unwelcome sexual flirtation; advances or propositions for sexual activity; continued or repeated verbal abuse of a sexual nature, such as suggestive comments and sexually explicit jokes; sexually degrading language to describe an individual; remarks of a sexual nature to describe a person's body or clothing; display of sexually demeaning objects and pictures; offensive physical contact, such as unwelcome touching, pinching, or brushing the body; sexual assault; and coerced sexual intercourse.

Sexual Harassment is unlawful discrimination based on sex when submission to such conduct is explicitly or implicitly a requirement of the individual's employment, or used as a basis for any employment-related decision concerning that individual, or when such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creates an intimidating, hostile or offensive work environment.

All CLEET employees are strictly prohibited from engaging in any form of sexual harassing behavior. All employees have a duty to immediately report sexual harassment to a supervisor. Any supervisory employee, employee with authority for personnel matters, or other agent or officer of this agency who knows or should have known that an employee of this agency is being subjected to sexual harassment must take immediate corrective action and immediately report the facts to an Associate Director of Administration/General Counsel.

All employees of CLEET work in an 'at will' status. Appropriate disciplinary measures will be taken against any employee who causes, engages in, encourages, condones or otherwise permits unlawful sexual harassment. This policy applies as well to supervisory or other responsible employees who fail to take corrective action as provided above. Such conduct may be grounds for disciplinary action, up to and including immediate termination of employment.

Any employee who believes that he or she has been the victim of sexual harassment may complain of discrimination based on sex in accordance with this agency's grievance procedure or the complaint may be filed directly with the Associate Director/General Counsel. Any employee attempting to penalize or retaliate against another employee for filing a complaint, reporting an incident of sexual harassment, or cooperating with an investigation of alleged sexual harassment, shall be subject to disciplinary action, up to and including termination of employment.

It is the responsibility of all employees in this agency, supervisory and non-supervisory, to adhere to this policy and to use all reasonable efforts to further its goals and spirit.

Signature of Appointing Authority
Dr. Larry Birney, Executive Director

1.2 Responsibility for Affirmative Action and Equal Employment Opportunity

The Director exercises overall responsibility for equal employment opportunity and affirmative action within this agency.

1.2.1 EEO/AA Officer

The EEO Coordinator will be primarily responsible for implementing the plan, including monitoring and evaluating our progress, identifying problem areas, and effecting solutions to problems. The EEO Coordinator will serve as liaison between compliance agencies and serve as the agency's referral resource for minority organizations, women's organizations, organizations for disabled persons, older persons, and community action groups concerned with employment opportunities for minorities, women, disabled persons and older persons.

The Affirmative Action/Equal Employment Opportunity Officer will report directly to the appointing authority on all matters relating to the EEO/AA program; and be knowledgeable of federal and state civil rights and equal opportunity legislation and regulations. They will be responsible for auditing the effectiveness of the agency's program, recommend remedial action to correct deficiencies, and determine the degree to which the agency's goals and objectives have been met.

In addition, the Affirmative Action/Equal Employment Opportunity Officer will be responsible for keeping the agency informed of developments in the EEO area, assisting in the identification of problem areas, assisting with referral resources for various organizations, and effecting solutions.

1.2.2 Line Managers/Supervisors

Managers and supervisors will be responsible to assist in the identification of problems areas, ensure an impartial working environment, and assist with recruitment, outreach and employee development efforts to achieve equal employment opportunities within the agency.

1.2.3 Employees

All employees will be responsible to apply all laws, rules, regulations, policies and procedures fairly and impartially toward all persons, without regard to race, color, creed, sex, age, national origin, disability, religion or political opinion or affiliation; exhibit an attitude of respect, courtesy, and cooperation toward fellow employees and the public, be familiar with the affirmative action plan; aid supervisors and managers in carrying out their responsibilities with regard to the EEO/AA Program and make a good faith effort to assist the agency in efforts to achieve equal employment opportunities within the agency.

1.3 Policy Dissemination

1.3.1 Internal Dissemination.

All employees of the Council on Law Enforcement Education and Training will receive a copy of the agency's AA/EEO policy. A copy of the plan and policy will be posted on the agency's bulletin board as well. Newly appointed supervisors shall be made aware of their responsibilities regarding the EEO/AA program as soon as possible upon assumption of their new duties. Additional copies of the AA/EEO policy and plan are available to employees upon request.

1.3.2 External Dissemination.

A copy of the policy will be posted on the agency web site, and copies of the policy and plan are available upon request.

1.3.3 The Director will provide a copy of our policy with a personal letter, to all recruiting resources listed in 1.5.2 and new resources as identified. A copy of our policy will be available at job fairs and conferences where CLEET has a booth or area to distribute information about the agency.

1.3.4. A copy of the plan and policy will be posted in our office in an area of public access. Also posted will be a copy of the Agency's policy against harassment as well as state and federal EEO and Fair Employment Practice posters/information to reinforce our commitment to equal opportunity.

1.4 Disabled Persons and Older Persons

1.4.1 Disabled Persons

It is the policy of the Council on Law Enforcement Education and Training to provide equal employment and advancement opportunities in all job classifications of this agency without regard to physical handicap, so long as the physical handicap does not render the person unable to do the work for which employed.

1.4.2 Age

This agency will provide equal employment opportunities in all job classifications of this agency without regard to age, and will make a commitment to promote employment of older persons on the basis of ability.

1.5 Training and Recruitment

1.5.1 Training

The Council on Law Enforcement Education and Training will provide training opportunities designed to develop job skills needed to maintain skill levels; improve performance to qualify employees for advancement and fill positions which have been identified as line of progression.

1.5.2 Recruitment

This agency shall actively recruit new employees in an effort to maintain an appropriate work force balance in all job categories. The Council on Law Enforcement Education and Training has developed procedures that encourage fairness and consistency in the search process in an effort to create a diverse pool of qualified applicants from which the hiring committee can interview and select the best qualified person.

CLEET will ensure that all applicants are given fair treatment and an equal opportunity to compete for positions.

Outreach Efforts

In addition to efforts addressed in the sections 1.6 and 1.7.2, community contacts in Ada have been advanced by speaking to organizations including Ada Job Foundations, the Chamber of Commerce, East Central University, and the Valley View Hospital Authority.

Vacancies were announced using the below resources for our full-time positions:

- The Daily Oklahoman
- The Tulsa World
- The Black Chronicle
- Hoot Nguyen Newspaper
- Ada Evening News
- El Latino Spanish English Newspaper
- Oklahoma Indian Affairs Commission
- Langston University
- Office of Personnel Management - Minority Recruitment
- Oklahoma Employment Security Commission - Workforce Oklahoma Web
- CLEET - Web Site
- Tulsa Hispanic Chamber of Commerce
- East Central University (Ada) Career Development
- Office of Personnel Management - Human Resources
- Urban League of Greater Oklahoma City

Additional efforts for particular job announcements are listed in section 1.6.

Recruitment Process

The process to begin the search for filling a vacancy, upon receipt of an approved freeze exception request from the cabinet secretary, begins with the EEO Coordinator reviewing the current utilization and hiring efforts for the past three years to determine if the position is in a category in which women or minorities are underrepresented.

Recruitment Strategy

The EEO Coordinator will develop a recruitment strategy to develop a candidate pool that reflects the availability of women and people of color in the work force. Primary considerations in the development of a strategy include job qualifications, the scope of the search, appropriate avenues for advertising, and closing dates.

The EEO Coordinator will make the notifications and postings for announcing and advertising the position. During the application screening process to identify applicants who meet the job qualifications, the EEO Coordinator can assess whether the applicant pool is reasonably representative of available ethnic minorities and women. The committee may reopen recruitment if a satisfactory pool was not achieved.

If there are no women or people of color in the group of candidates to be interviewed, the Affirmative Action Officer or EEO Coordinator may request that the search committee seek additional candidates to interview.

Affirmative Action Hiring

Upon selecting a final candidate, the committee will forward the selection recommendations to the Appointing Authority, who will make the final decision for appointment.

1.6 Evaluation of Preceding Year's AA/EEO Efforts

Below is a summary of the personnel transactions during the past year as identified by EEO category and extended recruitment efforts in addition to those listed in 1.5.2.

CLEET underwent personnel changes, but was limited in its ability to fill positions due to budgetary constraints. CLEET conducted an analysis of basic personnel needs necessary to perform statutory functions. We considered the increased demands for service, responsiveness to customer needs, agency values, and major processes, and implemented a new organizational model that resulted in extensive changes within the agency.

Four positions were vacated during FY-2010, one the result of a retirement. To fill these positions, CLEET hired two existing "999" employees and recruited and hired two new employees during FY-2010.

Officials and Administrators

CLEET's Associate Director retired in January, 2010, but the position was filled internally through the promotion of a white female. CLEET did not backfill the Hearing Officer position that was vacated to fill the position of Associate Director. As such, CLEET conducted no external hiring or recruitment activities in this area. The position of Associate Director was assigned additional responsibilities resulting in a pay increase for the white female.

Last year's goals anticipated no vacancies, although the Associate Director retired during FY 2010 as mentioned above.

Professionals

Three professional positions were vacated during FY-2010. (Curriculum Coordinator, Technology Coordinator and Private Security Division Supervisor). Through agency reorganization and consolidation of duties, CLEET filled two reorganized positions. CLEET hired one new employee and hired one existing "999" employee. (CLEET did not fill the Private Security Supervisor's position and diverted these funds to add an additional administrative staff position, which is discussed below.)

First, after identifying the need for additional instruction staff, CLEET filled the position of Basic Academy Legal Instructor at the beginning of FY-2010. To fill the position, CLEET sent vacancy/recruitment notices to the outreach contacts listed in 1.5.2 and to the following additional organizations:

- *Oklahoma Bar Association (Advertisement)
- *Northeast Oklahoma Black Lawyers Association
- *Oklahoma Indian Bar Association
- *Oklahoma City Association of Black Lawyers
- *Contacts were made with the law schools at Oklahoma City University and University of Oklahoma to announce the position.

CLEET interviewed three applicants for this position. Of the applicants who were interviewed, one applicant was a white male and two applicants were white females. One of the applicants was from Norman, OK, one was from Oklahoma City, OK, and the final was from Tulsa, OK.

The position was filled with a white female from Oklahoma City, OK who worked in private practice, served as an attorney in the Attorney General's Office and as an Assistant District Attorney in southeastern Oklahoma. This individual was hired in July of 2009 and promoted in January of 2010 to Attorney/Administrator. In addition to her duties, this individual assumed the duties of the Private Security Division Supervisor, which was one of the vacated positions described above. There was no adjustment in pay to

compensate for the additional responsibilities.

The second position was filled by hiring an existing "999" employee into a full-time professional position. The employee was a white male. This individual was hired to backfill the position of Technology Manager. No external advertisements or recruitment activities were conducted.

Last year's goal anticipated 3 vacancies in this category. The goals set for this category last year were to hire one female and one minority applicant. CLEET hired one individual in this category and met its goal of hiring a female applicant. No minority applicants applied for the advertised position.

Separately, a reorganization of the agency resulted in three (3) additional positions being redefined, although there was no adjustment in pay to compensate for the additional responsibilities. The position descriptions of two white males and one white female were redefined.

Administrative Support

No Administrative Support positions were vacated during FY 2010. CLEET's Private Security Division manager resigned during FY-2010 and CLEET appropriated those funds to hire an additional administrative support employee.

To fill the one vacancy in this category CLEET sent out recruitment notices to all of the contacts listed in 1.5.2. In response to these notices, CLEET received ninety-two (92) applications. CLEET reviewed all of the applications and selected seven (7) individuals to be interviewed. Of the seven individuals CLEET interviewed, four were white females, one was white male, one was a Native American female, and one was a black male.

Two applicants advanced from this round of interviews and were interviewed by Appointing Authority and the Associate Director. Of the final two applicants, one was a Native American female and one was a white female. The position was filled by a white female who had twenty-two years of service in the Department of Corrections, including supervisory experience. The white female prevailed because of her qualifications and extensive law enforcement/criminal justice work experience.

Additionally, CLEET hired internally one "999" temporary employee to fill a clerical staff position. The employee was a white female from Russia. No external advertisements or recruitment activities were conducted.

Last year's goals anticipated two vacancies, filling those vacancies both with female applicants, one being a Native American. CLEET did not have any vacancies in this area, but allocated money to hire one additional support staff employee. CLEET partially met this goal by hiring a female for this position.

Service and Maintenance.

No vacancies occurred in this category during FY 2010. Last year's goal anticipated there would be no vacancies in this category and no pay adjustment were given to employees in this area.

Difficulties Encountered.

One of the greatest difficulties facing CLEET is budgetary constraints which lead to limited funds and inability to fill necessary positions. Separately, during the agency reorganization, it became evident that staff salaries were far below market average making it even more difficult to attract qualified applicants.

CLEET is uniquely challenged by its geographic location. The City of Ada is 88 miles southeast of Oklahoma in a predominantly rural area and has a population of only 16, 000. Local business leaders have identified this as a challenge as many qualified applications are unwilling to relocate from larger, more diverse metropolitan areas.

Additionally, CLEET must compete for applicants with other large businesses in the Ada area including: The Chickasaw Nation, Kerr Laboratory, Pre-Paid Legal, East Central University, Valley View Hospital and IRT.

When a vacancy occurs, the Affirmative Action Officer or Coordinator will review current utilization and hiring efforts for the past three years and indicate whether or not the position is in a category in which women or minorities are underrepresented. If the position is in a category or department in which women or minorities are underrepresented, additional steps will be taken to recruit candidates from protected groups.

1.7 Identification and Analysis of Problem Areas; Corrective Action

The objective of this agency will be to achieve maximum equal employment opportunity results.

1.7.1 Review

A. Three of the four EEO categories for CLEET reflected an underutilization of total minorities. We have identified underrepresentation by category as follows:

Underutilization of total minorities:

Officials and Administrators: Underutilization of Blacks, Asians/Pacific Islanders, American Indians/A.N. and Hispanics.

Administrative Support: Underutilization of Blacks, Asians/Pacific

Islanders, American Indians/A.N. and Hispanics.

Professionals: Underutilization of Asians/Pacific Islanders, Blacks, American Indians and Females. Note one female was added to this category in FY-2010.

B. CLEET also recognizes underrepresentation of minorities in the following categories:

Service and Maintenance: Underrepresentation of Blacks, Asians/Pacific Islanders, Hispanics and Females.

C. The application form was modified to allow applicants to voluntarily identify their race.

D. Applicants for positions are applying from all areas of the state and out of state with little improvement in attracting minority candidates.

1.7.2 Reporting Corrective Actions

The Council on Law Enforcement Education and Training utilizes a formalized recruitment strategy (addressed in 1.5.2 above) in an effort to improve outreach activities. Both EEO Coordinator Steven Floyd and Affirmative Action/Equal Opportunity Employment Officer Kimberly Richey will be responsible for completing these action items.

The following resources were utilized as sources for recruitment:

- 1) Internet job postings with the Office of Personnel Management
- 2) Internet job postings with Workforce Oklahoma for Statewide distribution of vacancies
- 3) Web page posting on our web site
- 4) Assistance of staff members to refer qualified applicants to our agency.
- 5) Advertisements in newspapers including publications that are targeted to women and minority audiences.
- 6) Posting of job openings with professional organizations.

CLEET will seek ways to promote the agency's visibility among the available market and identify new sources for applicant referral with women and minority groups until our goal is achieved. CLEET will initiate a more in-depth community awareness campaign to expand community knowledge about the organization and impart openness about the organization in an effort to generate a larger, diverse pool of applicants.

CLEET will seek ways to communicate more effectively with all applicants, during the application process to determine whether recruitment activities are successfully reaching these traditionally underrepresented populations.

CLEET staff will continue to participate in job fairs across the state and meet with minority organizations to develop a strategy that will assist CLEET to reach its goal. Staff members have attended events in Ada with East Central University, Ada Job Development to further inform the community of our mission.

CLEET will continue dialogue with the Chickasaw Nation Career Development Initiative to discuss a work program for American Indians at the CLEET Campus. Potential candidates would meet the criteria for employment with CLEET prior to assignment.

CLEET has been in communication with the U.S. Department of the Interior's Bureau of Indian Affairs in an effort to become a training facility for Indian tribes throughout the United States. An agreement with the Office of Law Enforcement Training has been reached to establish a training office for the Bureau of Indian Affairs in Ada. This office will coordinate training between our facility and various Indian tribes nationwide. It is anticipated that these offices will be staffed by and serve members of Oklahoma Indian Tribes-- thereby increasing opportunities for hiring Native American applicants. CLEET will continue this effort of corrective actions.

CLEET Appointing Authority (Executive Director) and Associate Director attended two training seminars focused on learning more about individuals with disabilities and harassment in part to learn more about ways to further CLEET's ability to reach out to minority and disabled populations. CLEET will continue this effort as a part of corrective action.

The State of Oklahoma each year sponsors Leadership Oklahoma, an executive forum, which consists of young professionals employed by the State from a multitude of agencies. These professionals come to CLEET to discuss and learn about law enforcement and the challenges associated with training, recruitment and retention of minority peace officers. CLEET will continue this effort as corrective action.

CLEET will continue to expand the basic academy curriculum in the areas related to diverse communities. CLEET uses this teaching opportunity to inform minorities of the opportunities available at CLEET and in Oklahoma law enforcement at large.

CLEET will continue to annually conduct a Leadership Training conference attended by approximately 80-100 management staff from municipal, town, county and state law enforcement agencies. During this conference, CLEET solicits ideas for improving efforts to attract and retain minority candidates for CLEET and will share the information with all Oklahoma law enforcement agencies.

1.8 Internal Audit and Reporting

1.8.1 The agency's EEO officer will conduct an ongoing evaluation of the agency's Equal Employment Opportunity program, report findings to the Administrator, and recommend modifications to achieve program goals. The auditing will also monitor any objectives that have not been implemented.

1.8.2 When a vacancy occurs, the Affirmative Action Officer or Coordinator will review current utilization and hiring efforts for the past three years and indicate whether or not the position is in a category in which women or minorities are underrepresented. If the position is in a category or department in which women or minorities are underrepresented, additional steps will be taken to recruit candidates from protected groups.