



Montana Department of Revenue

**EQUAL EMPLOYMENT OPPORTUNITY
2013 ACTION PLAN**

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I. MESSAGE FROM THE DIRECTOR

The Department of Revenue is committed to building and maintaining a workforce that reflects the diverse spectrum of Montana's population. We are also committed to ensuring that every employee in the Department is treated equally, fairly, and always with respect. The Equal Employment Opportunity Action Plan provides a framework in which we can achieve these ends, for the good of the Department and for the good of every individual within it.

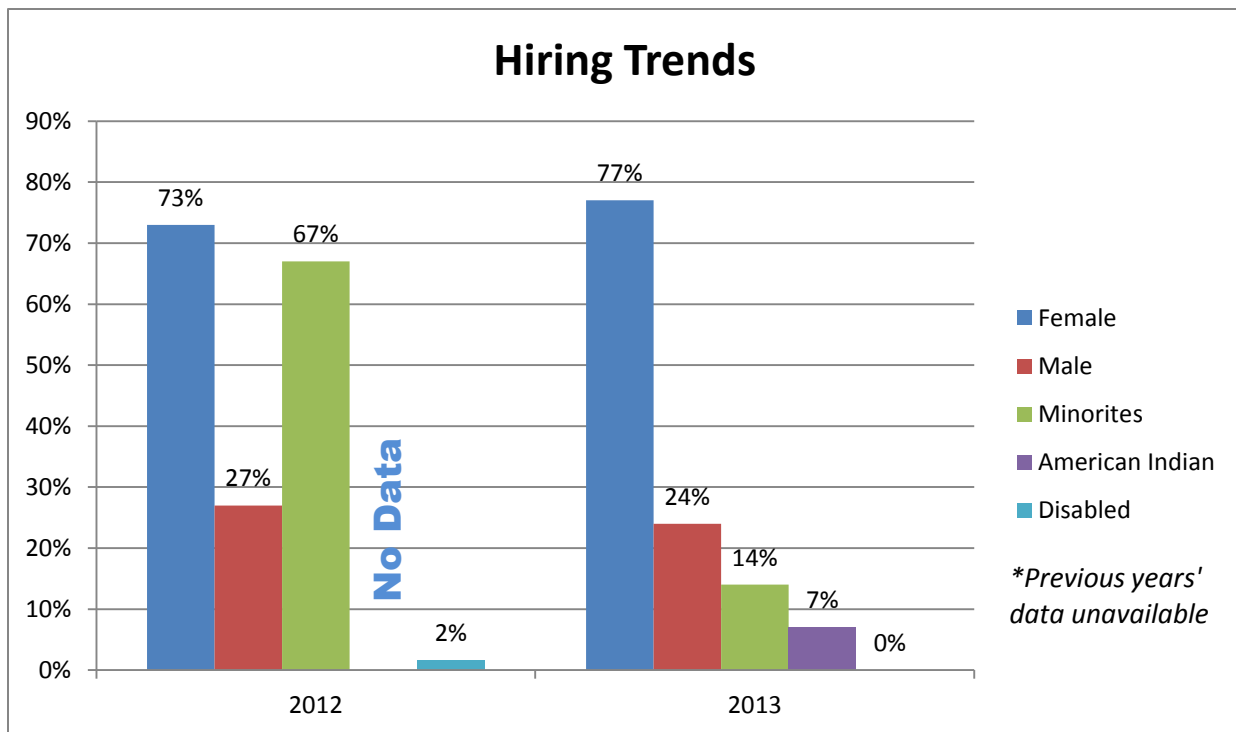
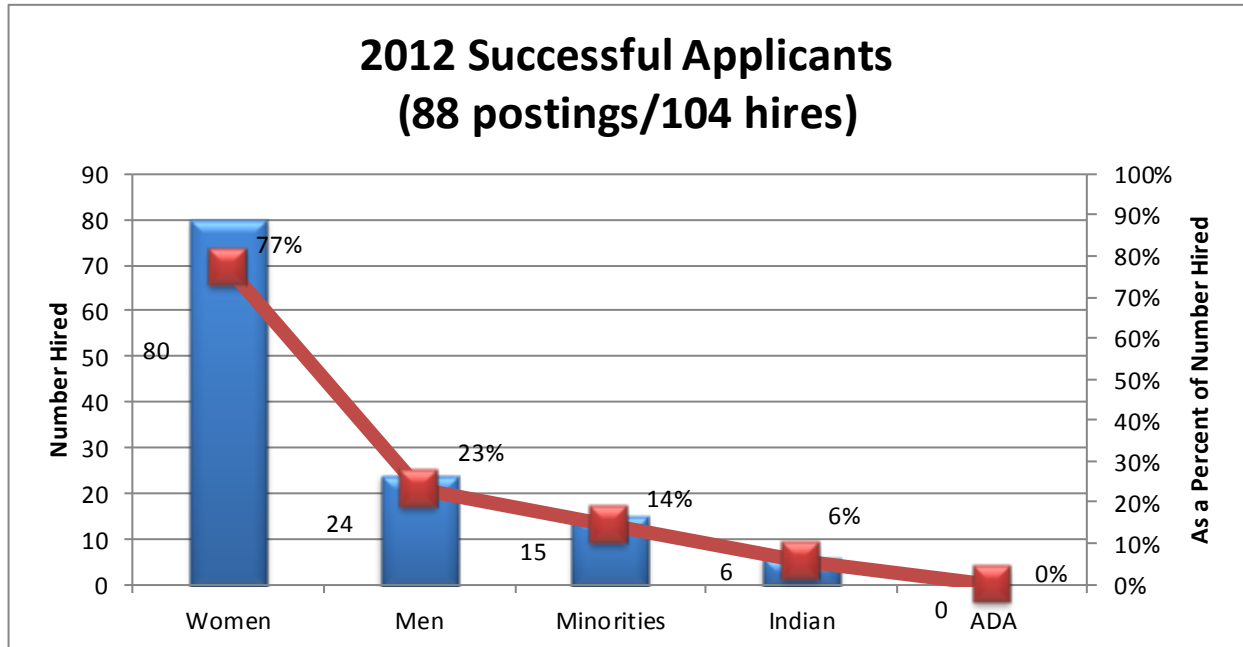
II. GOALS AND OBJECTIVES

The purpose of this plan is to implement and maintain an Equal Employment Opportunity (EEO) program to ensure that the Department of Revenue (Department) does not discriminate in employment based upon race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, sexual orientation, political beliefs, genetic information, veteran's status, culture, social origin or condition, or ancestry. The Department complies with, and strictly enforces, the [State of Montana's EEO, Nondiscrimination, and Harassment Prevention policy \(ARM, 2.21.4001-4029\)](#), which serves as the basis of this policy and plan. In addition to the state policy, the Department's Office of Human Resources is responsible for ensuring adherence to the following federal and state laws, rules, and regulations:

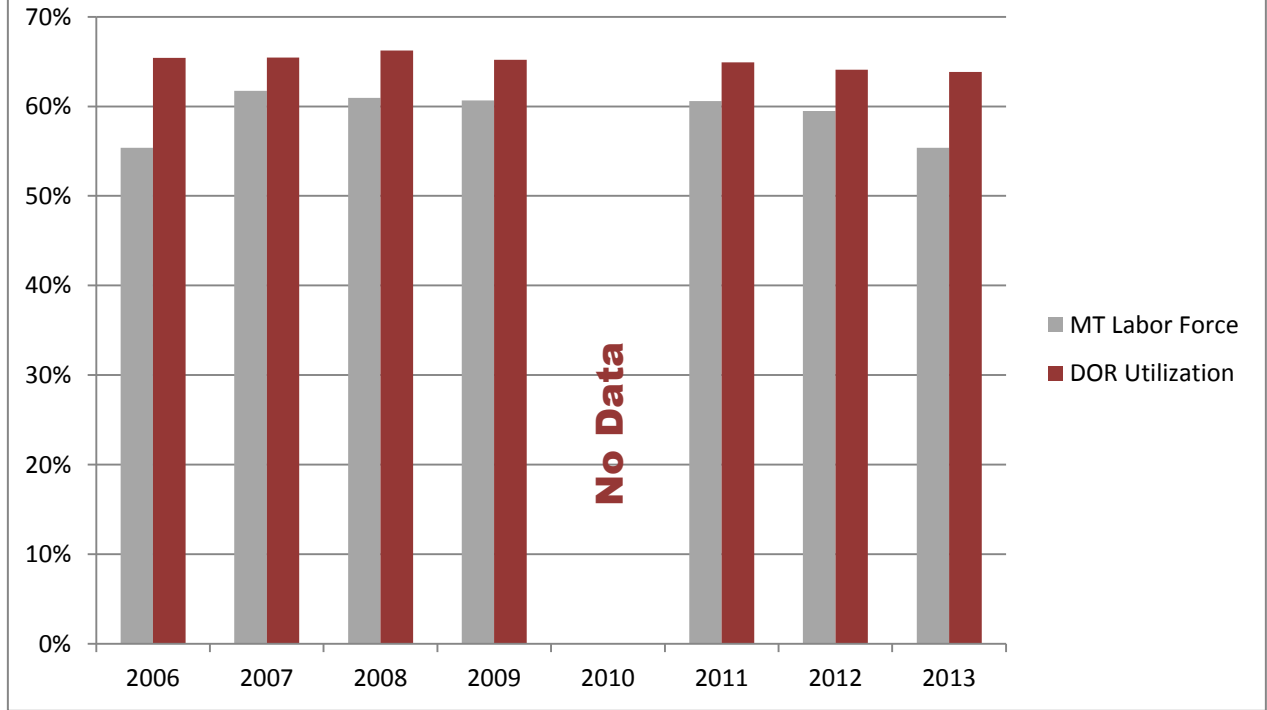
- [Montana Human Rights Act, MCA Title 49](#): specifically, 49-1-102. Freedom from discrimination.
 - (1) The right to be free from discrimination because of race, creed, religion, color, sex, physical or mental disability, age, or national origin is recognized as and declared to be a civil right. This right must include but not be limited to:
 - (a) the right to obtain and hold employment without discrimination.
- [Governmental Code of Fair Practices, MCA Title 49, Chapter 3, Part 2](#); specifically:
 - 49-3-201, Employment of state and local government personnel.
 - (2) All state and local governmental agencies shall:
 - (a) promulgate written directives to carry out this policy and to guarantee equal employment opportunities at all levels of state and local government;
 - (b) regularly review their personnel practices to ensure compliance; and
 - (c) conduct continuing orientation and training programs with emphasis on human relations and fair employment practices.
 - (3) The department of administration shall ensure that the entire examination process, including appraisal of qualifications, is free from bias.
 - (4) Appointing authorities shall exercise care to ensure utilization of minority group persons.
 - 49-3-205. Governmental services.
 - (3) Each state or local governmental agency shall analyze all of its operations to ascertain possible instances of noncompliance with the policy of this chapter and shall initiate comprehensive programs to remedy any defect found to exist.
- [Governor's Executive Order 41-2008: EEO, Non-Discrimination, and Harassment Prevention](#). Specifically, the Order directs "the Department of Administration, which is charged with the administration of state personnel policies, and all agencies, managers, and employees under the jurisdiction of the Governor to take the following actions:"
 3. The Department of Administration is directed to prepare a nondiscrimination policy applicable to all agencies under the jurisdiction of the Governor... The policy shall make it clear that discrimination... is a form of misconduct and anyone who is found to have violated the policy... will be subject to discipline, up to and including termination of employment.
 5. Each agency head and its managers are responsible for compliance and implementation of this Executive Order.
- In addition, the following Department of Revenue policies apply:
 - [Recruitment and Selection](#)
 - [EEO, Nondiscrimination, and Harassment Prevention](#)

III. UTILIZATION ANALYSIS SUMMARY

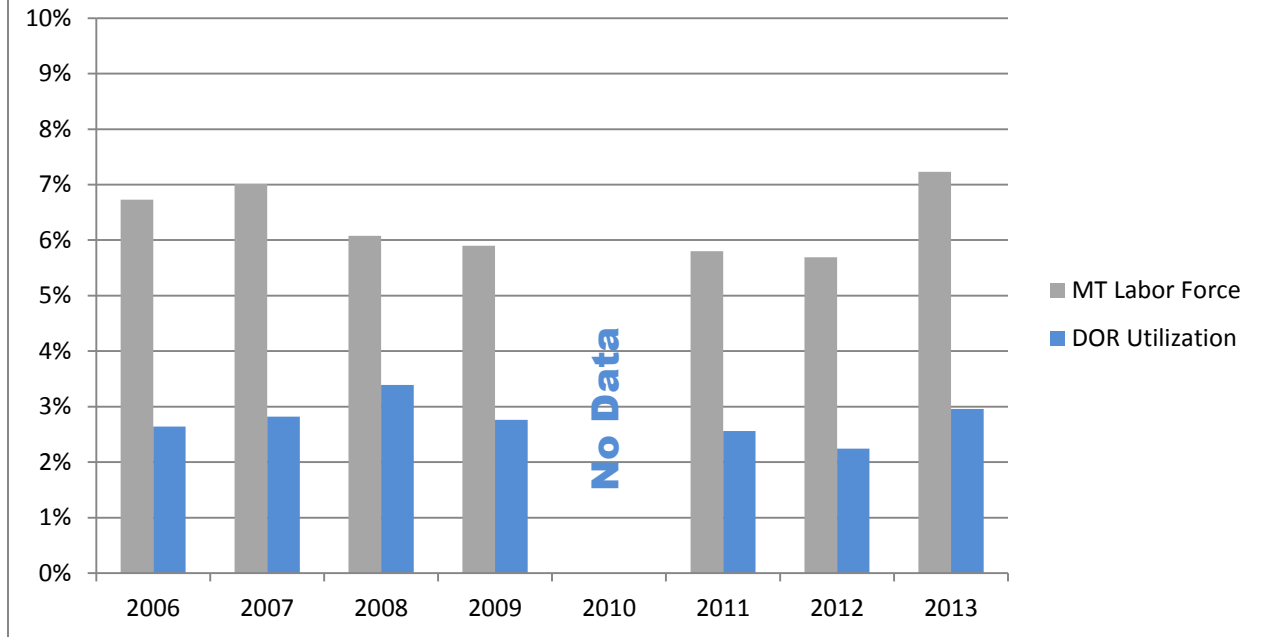
Overall, the Department is making progress in our EEO efforts. This year we switched from the 2000 Census data to the 2006-2010 American Community Survey which provides a more accurate statistical representation.



Female Utilization Trends



Minority Utilization Trends



Utilization Data

* Note: "terminations" include people who left employment voluntary and involuntary

- Females: no underutilization
 - 58% of 2711 total applicants; of the selected applicants
 - Hired in of the job postings
 - 43 new hires – 14 retirements – 39 terminations = net of (10)
 - Females make up 63.9% of our employees; 58% of retirees; and 68% of terminations

- Males:
 - 42% of 2711 total applicants; of the selected applicants
 - Hired in of the job postings
 - 17 new hires – 10 retirements – 18 terminations = net of (11)
 - Males make up 36.1% of our employees; 42% of retirees; and 32% of terminations

- Minorities: underutilization increased from -21 to -27; the increase due to the new survey data
 - 10% of 2711 total applicants; of the selected applicants
 - Hired in of the job postings
 - 14 new hires – 0 retirements – 0 terminations = net of 14
 - Minorities make up 3.0% of our employees; 0% of retirees; and 0% of terminations

- American Indians:
 - 5% of 2711 total applicants; of the selected applicants
 - Hired in of the job postings
 - 5 new hires – 0 retirements – 0 terminations = net of 5
 - American Indians make 1.7% up of our employees; 0% of retirees; and 0% of terminations

- Employees with disabilities:
 - 2% of 2711 total applicants; of the selected applicants
 - Hired in of the job postings
 - 0 new hires – 0 retirements – 0 terminations = net of 0
 - Employees with disabilities make up 0.78% of our employees; 0% of retirees; and 0% of terminations

The following charts illustrate each group's progression through the phases of the recruitment process. The complete utilization analysis information is available for review upon request. The data used for this report covers 88 postings for the period January 1, 2012, to December 31, 2012, and includes information from the following sources:

- Utilization Analysis Report provided by DOA
- Data from the state's on-line recruitment system
- DOR hiring, termination (voluntary/involuntary), retirement, promotion, and reclassification data

Female																
	Number of Applicants	Percent of Total	Prescreen Advance			HR Prescreen			Mgr Screening			Interview			Hire	
			Number of Removed	Percent Female Apps	Withdrawn	Number of Removed	Percent Female Apps	Withdrawn	Number of Removed	Percent Female Apps	Withdrawn	Number of Removed	Percent Female Apps	Withdrawn	Hired	Percent of Females
Officials/Administrators	80	5%	1	0%	0	31	2%	0	33	2%	1	10	1%	1	3	0%
Professionals	610	39%	6	0%	0	258	16%	0	230	15%	5	61	4%	11	39	2%
Technicians	738	47%	4	0%	0	281	18%	0	305	19%	8	100	6%	7	33	2%
Administrative Support	146	9%	0	0%	0	52	3%	0	74	5%	0	13	1%	2	5	0%
Skilled Craft	0	0%	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%
Service/Maintenance	7	0%	0	0%	0	5	0%	0	2	0%	0	0	0%	0	0	0%
Totals	1581		11	1%	0	627	40%	0	644	41%	14	184	12%	21	80	

Male																
	Number of Applicants	Percent of Total	Prescreen Advance			HR Prescreen			Mgr Screening			Interview			Hire	
			Number of Removed	Percent Male Apps	Withdrawn	Number of Removed	Percent Male Apps	Withdrawn	Number of Removed	Percent Male Apps	Withdrawn	Number of Removed	Percent Male Apps	Withdrawn	Hired	Percent of Males
Officials/Administrators	87	8%	1	0%	0	34	2%	0	47	3%	0	4	0%	0	1	0%
Professionals	532	47%	7	0%	0	215	14%	1	223	14%	1	61	4%	6	18	2%
Technicians	371	33%	0	0%	0	208	13%	0	137	9%	2	20	1%	1	3	0%
Administrative Support	80	7%	0	0%	0	34	2%	0	39	2%	0	6	0%	0	1	0%
Skilled Craft	0	0%	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%
Service/Maintenance	60	5%	0	0%	0	44	3%	0	12	1%	1	2	0%	0	1	0%
Totals	1130		8	1%	0	535	34%	1	458	29%	4	93	6%	7	24	

Minorities																
	Number of Applicants	Percent of Total	Prescreen Advance			HR Prescreen			Mgr Screening			Interview			Hire	
			Number of Removed	Percent Min. Apps	Withdrawn	Number of Removed	Percent Min. Apps	Withdrawn	Number of Removed	Percent Min. Apps	Withdrawn	Number of Removed	Percent Min. Apps	Withdrawn	Hired	Percent of Minorities
Officials/Administrators	12	0%	0	0%	0	3	0%	0	6	0%	0	2	0%	0	1	0%
Professionals	112	4%	3	0%	0	37	2%	1	55	3%	0	9	1%	0	7	3%
Technicians	119	4%	0	0%	0	57	4%	0	39	2%	0	14	1%	4	5	2%
Administrative Support	24	1%	0	0%	0	7	0%	0	13	1%	0	1	0%	1	2	1%
Skilled Craft	0	0%	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%
Service/Maintenance	3	0%	0	0%	0	1	0%	0	2	0%	0	0	0%	0	0	0%
Totals	270	10%	3	0%	0	105	7%	1	115	7%	0	26	2%	5	15	

Indian																
	Number of Applicants	Percent of Total	Prescreen Advance			HR Prescreen			Mgr Screening			Interview			Hire	
			Number of Removed	Percent Indian Apps	Withdrawn	Number of Removed	Percent Indian Apps	Withdrawn	Number of Removed	Percent Indian Apps	Withdrawn	Number of Removed	Percent Indian Apps	Withdrawn	Hired	Percent of Indians
Officials/Administrators	5	0%	0	0%	0	2	0%	0	3	0%	0	0	0%	0	0	0%
Professionals	49	2%	1	0%	0	20	1%	1	19	1%	0	5	0%	0	3	2%
Technicians	65	2%	0	0%	0	33	2%	0	19	1%	0	8	1%	2	3	2%
Administrative Support	5	0%	0	0%	0	1	0%	0	4	0%	0	0	0%	0	0	0%
Skilled Craft	0	0%	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%
Service/Maintenance	2	0%	0	0%	0	0	0%	0	2	0%	0	0	0%	0	0	0%
Totals	126	5%	1	0%	0	56	4%	1	47	3%	0	13	1%	2	6	

ADA																
	Number of Applicants	Percent of Total	Prescreen Advance			HR Prescreen			Mgr Screening			Interview			Hire	
			Number of Removed	Percent ADA Apps	Withdrawn	Number of Removed	Percent ADA Apps	Withdrawn	Number of Removed	Percent ADA Apps	Withdrawn	Number of Removed	Percent ADA Apps	Withdrawn	Hired	Percent of ADA
Officials/Administrators	2	0%	0	0%	0	0	0%	0	2	0%	0	0	0%	0	0	0%
Professionals	28	1%	0	0%	0	13	1%	0	13	1%	0	2	0%	0	0	0%
Technicians	20	1%	0	0%	0	9	1%	0	9	1%	0	2	0%	0	0	0%
Administrative Support	3	0%	0	0%	0	0	0%	0	3	0%	0	0	0%	0	0	0%
Skilled Craft	0	0%	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%
Service/Maintenance	2	0%	0	0%	0	1	0%	0	1	0%	0	0	0%	0	0	0%
Totals	55	2%	0	0%	0	23	1%	0	28	2%	0	4	0%	0	0	

IV. ACTION PLAN

A. Ongoing Action Items

1. The Department maintains a collaborative approach between the Office of Human Resources (HR) and hiring authorities to hire the best employees and ensure compliance with this Action Plan and federal and state laws, rules, policies, and procedures. The goal is to make our workforce more closely reflect the labor force in Montana and embrace cultural differences.
2. The Department makes good faith efforts to identify the underutilization of women and minorities and make the necessary changes to remove any existing barriers to their employment. The Department also makes good faith efforts to recruit and hire people with disabilities.
3. The action items in this plan are linked to HR's performance management plan and performance measures which require quarterly reports to the Director and Leadership as a means of monitoring the Department's progress and adherence to this plan.
4. Department employees and the public are notified of job opportunities through vacancy announcements posted on the [State of Montana Employment website](#). Vacancy announcements are sent to college and university campuses, Native American recruitment sources, and disability rehabilitation centers across the state.
5. The Department strives to ensure all employees receive equal opportunity for promotion by:
 - Posting promotional opportunities on the state's MINE site
 - Assisting employees in identifying promotional opportunities
 - Offering training programs and opportunities which may enhance promotability
6. Quarterly, HR reviews all available data sources to determine if minimally qualified women and minorities are promoted at rates substantially similar to those of minimally qualified men and non-minority employees. The Department strives to promote minimally qualified individuals with disabilities at all levels of its workforce.
7. HR works with managers to alleviate any adverse impacts on women, minority, or employees with disabilities.
8. Annually, HR reviews the Montana Compensation Report, the Personnel Action History Report, and the Workforce Analysis to determine if a gender, race, or ethnicity disparity exists in employees' pay. If a disparity is identified, HR works with division administrator(s) to attempt to resolve the disparity.
9. Managers are trained in all aspects of the state's EEO Policy, cross-cultural diversity, and the Department's Action Plan. HR strives to maintain commitment to the plan by providing further training and assistance through the monthly manager newsletter, Department newsletter, yearly acknowledgement forms, and any other means available. Employees receive related training in New Employee Orientation, yearly acknowledgment forms, and posters and information on the Department's internal website.
10. Any person who believes he, she, or another person has been subjected to discrimination is encouraged to report incidents or actions of harassment and/or discrimination to the Office of Human Resources without fear of retribution. A copy of this plan is on the Department's external website for access by those outside the Department.
11. Exit interviews are conducted to provide the voluntarily terminating employee with the opportunity to:
 - Discuss the precise reason(s) for their voluntary termination
 - Voice any concerns the employee may have been reticent to express while employed
 - Provide positive and negative comments and suggestions related to their employment experience
12. The Department strives to ensure women, minority, or employees with disabilities do not leave the Department at rates substantially different from those of men, non-minority employees, and employees without disabilities.

B. 2012 Action Plan Review

The following are updates on our 2012 Action Plan items.

1. The Department strengthened its policies and standards for more consistency and to ensure prevention of discrimination, harassment, and favoritism. Examples include the new Employee Ethics, Conduct, and Conflict of Interest; Recruitment and Selection; EEO, Non-discrimination, and Harassment Prevention; and Reasonable Accommodation and Equal Access.
2. HR staff traveled around the state to several Indian reservations and Department offices. This first year was the initial step in this plan and was intended for our staff to gain exposure to the reservations and our outlying offices, as well as increasing the visibility of our office and what we do.
3. The Recruitment and Selection Policy was updated to reflect that HR is tasked with the following responsibilities in an effort to identify issues, causes, and solutions:
 - HR and hiring authorities jointly develop recruitment and selection plans for vacancies to ensure requirements are job-related and consistent with business necessity and the safe performance of the job.
 - Ensure adherence to the recruitment and selection plans developed with the hiring authorities at the initial meeting.
 - Do the initial screening of applicants in relation to the qualifications listed in the vacancy announcement and other factors as discussed with the hiring authority.
 - Review the hiring authority's screening for consistency, comment details, and other issues that may raise concerns and then working with the hiring manager on a resolution.
 - Participate and assist with the interviews, as requested.
 - Review the hiring process and on-line system to ensure timely and adequate completion of all phases, interview notes, reference checks, etc.
 - Document recruitment and selection data to promote equitable hiring decisions and for accurate data and statistics.
 - Follow up with hiring authorities to get feedback on the process and ways to improve it.
3. The expanded New Employee Orientation (NEO) has not been fully developed and implemented so it will remain part of the 2013 Plan.
4. The Department finalized the new Continuing Education Program but is still working with the Labor Management Committee on development of career ladders.
5. Because we did not receive a Montana Compensation Report, we were unable to conduct an in-depth study of salaries in 2012.
6. The Department's Recruitment and Selection Policy and the EEO, Nondiscrimination, and Harassment Prevention policy were updated. At an all-managers on-site meeting, the Department of Administration provided training on EEO and discussed DOR's Action Plan. Managers were provided further training and assistance through the monthly manager newsletter, Department newsletter, and yearly acknowledgement forms. Employees received related training in New Employee Orientation, yearly acknowledgment forms, posters and information on the Department's internal website, and given the link to the Department of Administration's on-line training.

C. 2013 Action Items

1. Recruitment and Selection

- HR staff will wrap up the visits to the Indian reservations and remaining Department offices.
- As the next step in outreach efforts to Montana's Indian population, HR staff will contact the various tribal offices to develop a plan to communicate Department employment opportunities and resources to tribal members. Ideas under consideration are career fairs; informational posters in places such as post offices and grocery stores; and application and interviewing training/assistance.

2. Expanded New Employee Orientation

Traditionally, New Employee Orientation (NEO) simply meant completion of some administrative steps combined with a single training class. The Department is going to expand NEO to include a set of training activities during an employee's first year of employment which are intended to successfully integrate new employees into Department staff and operations.

3. Retention, Succession Planning, Upward Mobility

After the extended orientation process, communication with employees with disabilities and minority employees will be part of an ongoing outreach program. The Department will work to add new components to the Continuing Education Program and develop career ladders.

V. DUTIES AND RESPONSIBILITIES FOR PLAN IMPLEMENTATION

A. Director

1. Responsible for approving, adhering to, and promoting the Department's EEO Action Plan.
2. Hold division administrators and office directors accountable for adhering to the plan and evaluate their participation through annual performance reviews.

B. Office of Human Resources

1. Implement and maintain reporting and recordkeeping systems to measure the effectiveness of the plan and determine whether goals and objectives have been attained.
2. Monitor the recruitment process including initial screening of applicants; the make-up of the applicant pool; at what level applicants fall out of the process; and the reasons why they fell out. Determine what actions we can take to meet our EEO goals.
3. Review and update the EEO Action Plan as necessary.
4. Provide quarterly reports to the director and leadership as a means of monitoring the Department's progress and adherence to this plan.
5. Annually review compensation adjustments to determine if gender, race, or ethnicity disparities exist in employees' pay.
6. Annually update the Department's Underutilization Report. Send the report to division administrators for review and comment.
7. Assist managers in identifying what may be causing underutilization and recommend appropriate action.
8. Keep management informed of the latest developments in the area of EEO.
9. Provide training opportunities for managers and employees in the area of EEO.
10. Investigate and attempt to resolve all EEO complaints.
11. Provide training to ensure that managers understand their responsibility to take action to prevent the harassment of employees and applicants.
12. Ensure the Department's EEO Policy Statement and Complaint Resolution Procedure is posted on employee bulletin boards, internal website, and external website.
13. Regularly review the recruitment, selection, and promotion processes.

C. Managers

1. Responsible for adhering to and promoting the Department's EEO Action Plan, especially throughout the recruitment process. This includes actively participating in the initial meeting with HR to develop a recruitment and selection plan for each position being posted and adhering to that plan.
2. Ensure selection criteria are job-related and nondiscriminatory. Conscientiously review applicants throughout the selection process, ensure comments are accurate and appropriate, and complete all aspects of the hiring process timely and thoroughly.
3. Hold subordinate managers accountable for adhering to the plan and evaluate their participation through annual performance evaluations.

D. Employees

1. Inform manager and/or the Human Resource Office of any EEO concerns.
2. Adhere to the Department's EEO Action Plan.

VI. EEO ACTION PLAN DISTRIBUTION

A. Internal

1. Employees receive training on EEO and the Department's action plan as part of new employee orientation.
2. The EEO Policy and Complaint Resolution Procedure posters are permanently posted and displayed in areas available to employees and applicants for employment.
3. The EEO Action Plan is posted on the internal web page and employees notified when it has been updated.

B. External

1. The Department's EEO Action Plan is posted on the external web page.

For further information please contact the Department of Revenue Human Resources Office: PO Box 1712, Helena MT, 59620; 406-444-9858; or email at dorhr@mt.gov.