

**COMMONWEALTH OF  
MASSACHUSETTS  
Department of Developmental  
Services**

**AFFIRMATIVE ACTION PLAN**

**FISCAL YEARS  
2018-2019**

**Plan Effective Dates  
10/1/17 - 09/30/19**

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***NOTE: This document does not allege to address the requirements of all federal compliance agencies but includes many fundamentals of the Office of Federal Contract Compliance Programs (OFCCP) under Rev. EO 11246.***

***AGENCIES RECEIVING FEDERAL FUNDS***

***Agencies receiving federal funds (i.e. a federal contractor or subcontractor, a recipient of federal funds or federal grants or one that has affirmative action obligations to a federal compliance agency) should contact their compliance agency for information regarding any requirements they may have for Affirmative Action Plans.***

***Meeting requirements of a federal compliance agency will not preclude any agency within the Executive Branch of the Commonwealth of Massachusetts from the requirement to develop an Affirmative Action Plan according to these guidelines.***

## **SECTION 1**

### **INTRODUCTION**

All information in this Plan, including salary information, total level of employment, and other statistical data, is confidential and may not be released to a third party without the consent of the Massachusetts Department of Developmental Services [DDS].

The terms "availability", "comparison", "parity", "goal", "problem area", "impediment", and "further review" are used to comply with Affirmative Action regulations and are not an admission of any illegal or discriminatory activity, lack of good faith efforts, or impermissible conduct. These terms are used by affirmative action planners to apply good faith efforts to increase the percentage of minorities, females, veterans, and persons with disabilities in the workforce.

We eliminated the separate section for Veterans and Persons with Disabilities and we are incorporating these two demographics into the overall plan. Doing so serves to focus attention on the analysis of current statistical information. Specifically, focusing attention on their representation in the workforce should create an impetus for more aggressive recruitment and retention practices and the active development and adaptation of programs and services that are fully inclusive.

## **EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY STATEMENT**

**Agency Head**

**Jane F. Ryder  
Acting Commissioner**

**Agency/Location:**

**Massachusetts Department of Developmental Services [DDS]  
500 Harrison Avenue, Second Floor  
Boston, MA 02118**

**Diversity Officer:**

**Genie P. Nortelus, Acting  
617-624-7506 (voice) 617-624-7590 (TTY)**

The Massachusetts Department of Developmental Services [DDS] prohibits discrimination in employment on the basis of race, color, creed, religion, national origin, ethnicity, gender, gender identity or expression, age, sexual orientation, veteran or disability status.

I, Jane F. Ryder, Acting Commissioner of the Massachusetts Department of Developmental Services recognize that when the effects of employment practices, regardless of their intent, discriminate and create adverse impact against any group of people action must be taken to ensure that the Agency values employee Diversity, and affords equal opportunity through affirmative action.

Under the legal authority of: Massachusetts General Laws Chapter 151B; Executive Order 526; the Equal Pay Act of 1963; Title VI and Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act of 1967; the Equal Employment Opportunity Act of 1972; the Civil Rights Act of 1992; Section 504 of the Rehabilitation Act of 1973; the Americans With Disabilities Act of 1990; the Family and Medical Leave Act of 1993, American with Disabilities Amendments Act 2008. I commit myself and my employees, within the context of these laws, to ensure equitable participation of minorities, women, veterans and persons with disabilities in all of its daily operations.

This policy applies to all employment practices and employment programs sponsored by this agency. The Agency shall review, investigate, and where necessary, initiate changes in its processes relative to facilities and programs accessible to the public, including the provision of reasonable accommodation for persons with disabilities. This policy shall also apply to the areas of recruitment, selection,

***Continuation.... EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY STATEMENT***

promotions, termination, transfers, layoffs, compensation, training, benefits, reasonable accommodation, and other terms and conditions of employment.

I have designated Genie P. Nortelus, (a highly placed management official), as Diversity Director/Officer to implement all elements of this Equal Opportunity/Affirmative Action (EO/AA) program. All management employees have personnel responsibility, and shall be designated specific tasks, relative to ensuring its successful implementation. All personnel shall be evaluated on the success of this program the same way as their performance is evaluated relative to other agency goals.

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Agency Head Signature

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Date

<p style="text-align: center;"><b>AMERICANS WITH DISABILITIES ACT (ADA) POLICY STATEMENT</b></p>
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**Agency/Location:**                      **Massachusetts Department of Developmental Services [DDS]  
500 Harrison Avenue, Second Floor  
Boston, MA 02118**

**ADA Compliance Officer:**              **Lorraine F. Woodson  
617-624-7530 (voice) 617-624-7590 (TTY)**

The Massachusetts Department of Developmental Services [DDS] will not discriminate against qualified individuals with disabilities in job application procedures, hiring, terminations, advancement, compensation, job training, and other terms, conditions and privileges of employment. A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question.

An individual with a disability is a person who:

- has a physical or mental impairment that substantially limits one or more major life activities;
- has a record of such impairment; or
- Is regarded as having such impairment.

The Massachusetts Department of Developmental Services [DDS] will make a reasonable accommodation for the known disability of a qualified applicant or employee if it does not impose an undue hardship on the agency.

The Massachusetts Department of Developmental Services [DDS] strictly prohibits retaliation against any employee or applicant exercising rights granted by the ADA. Any coercion, intimidation, threats, harassment or interference in the exercise of any employee or applicant's rights granted under the ADA, or of the encouragement of someone else's exercise of rights granted by the ADA, is strictly prohibit. The Commonwealth of Massachusetts **Office of Diversity & Equal Opportunity** has established a uniform grievance procedure known as the Resolution Process for any applicant or employee who has reason to believe that they have been unlawfully discriminated against by the Massachusetts Department of Developmental Services [DDS] on the basis of a disability.

The resolution process is not intended to prohibit an applicant or employee from utilizing the other avenues of redress and a grievant is not required to exhaust the resolution process prior to filing a complaint with an applicable state or federal agency.

Lorraine F. Woodson, ADA Coordinator  
Massachusetts Department of Developmental Services [DDS]



## **SECTION 2**

### **Directory of Affirmative Action and Equal Opportunity Responsibilities**

#### **2.1 Chief Executive Officer**

The Chief Executive Officer of this agency, Acting Commissioner, Jane F. Ryder has overall responsibility for ensuring Equal Opportunity and Affirmative Action in this Agency.

#### **2.2 Diversity Director/Officer**

The Acting Diversity Director/Officer, Genie P. Nortelus is a highly placed person who reports directly to the Agency Head. The Diversity Director/Officer is responsible for implementing the Plan and has the day-to-day responsibilities for its development, coordination and monitoring.

The Diversity Director/Officer is provided with sufficient authority, top management support and staffing, in order to execute his/her responsibilities, and is identified in all internal and external communications regarding the agency's program.

The Diversity Director/Officer and appropriate staff work with commitment to this program and possess an ability to work and communicate with others to achieve the Agency's goals. The staff possesses sensitivity and awareness relative to the varied ways in which discrimination occurs, with extensive knowledge and experience in civil rights precepts, policies, rules, regulations and guidelines.

##### **2.2.1 Agency Diversity Officer**

The Diversity Officer, in conjunction with the appropriate staff, will be responsible for:

- Planning, developing and implementing AA policies involving the budget, personnel, recruitment, contract compliance and consultant contracts;
- Conducting quarterly audits of hiring and promotion patterns, and training programs, in order to remove barriers to AA goals and objectives;

- Signing off as appropriate on Agency appointments. Signing off on all terminations, including layoffs;
- Submitting Agency Reduction in Force proposals to the Secretariat Diversity Director for his/her approval and his/her subsequent submission to the State Director of Office of Diversity and Equal Opportunity;
- Reviewing Agency budget and policies to ensure EO/AA for protected groups and to prevent possible adverse impact on these groups;
- Having quarterly meetings with appointing authorities to review progress toward AA goals;
- Participating in all programs pertinent or particular to the Agency, which may have an impact on protected group members, especially in the area of the development of policies and procedures (i.e., training, recruitment, classification);
- Scheduling confidential meetings with employees who request information on Agency policies (i.e., promotions and trainings);
- Having periodic meetings and discussions with managers and supervisors to advise them of their responsibilities and their accountability in the area of AA;
- Reviewing the progress of AA goals quarterly to ensure implementation of agency AA policies;
- Meeting with protected group members organizations and organizations concerned with issues of importance to members of protected groups;
- Monitoring and reviewing, where appropriate, the qualifications of all employees to assure that protected group members are given full opportunities for training and promotion;
- Implementing the Persons with Disabilities and Veterans Programs, the Resolution Process; and
- Utilizing all means authorized by executive order and law, which are necessary and appropriate for carrying out this Agency's Plan.

### **2.2.2 Secretariat Diversity Director**

The Secretariat Diversity Director, Sonia Bryan, shall:

- Review Agency Plans within his/her Secretariat to ensure that the plans meet the guidelines of the ODEO, sign off on the plans and submit the plans for approval to the State Director of ODEO for approval;

- Submit Secretariat Plans to the State Director of the ODEO, Sandra Borders, for approval;
- Review Agency reduction in force proposals within his/her Secretariat to ensure that the reduction in force proposals meet guidelines of the ODEO, sign off on the reduction in force proposals and submit the reduction in force proposals to the State Director of the ODEO for approval;
- Recommend approval or disapproval and sign-off as appropriate on appointment forms and personnel requisitions;
- Report all disapprovals to the State Director of the ODEO, as defined in Executive Order 526;
- Report to the State Director of the ODEO any problems that he/she experiences in enforcing and administering the Secretariat Plan or Agency Plans within his/her Secretariat, as defined in Executive Order 526
- Require Agency Diversity Officers to submit to the Secretariat information on the status of their Plans on a quarterly basis and, whenever necessary, as determined by the State Director of ODEO.

### **2.2.3 Agency Staff Responsibilities**

The Diversity Officer is assisted by Agency staff, as required, which are assigned specific responsibilities with respect to EO/AA.

The individuals listed below are responsible for the areas noted. In the event of information or staffing changes, the Diversity Officer/Director shall communicate such changes in writing to the Office of Diversity and Equal Opportunity and the appropriate Federal Authority as required.

The Human Resources Director is responsible for the development of an appropriate mechanism to ensure that protected class individuals are informed of employment opportunities within the Agency and that recruitment sources for protected groups are fully utilized for vacancies.

## Directory of Affirmative Action Plan Responsibilities

TITLE	NAME	CONTACT INFORMATION (Address, Phone, E-mail)
Human Resources Director	Lisa Gallup	Disabilities and Community Services Cluster 600 Washington St, 7 <sup>th</sup> Floor Boston, MA 02111 617-348-5709 <a href="mailto:Lisa.Gallup@MassMail.state.ma.us">Lisa.Gallup@MassMail.state.ma.us</a>
*General Counsel	Marianne Meacham, Esq.	Legal Division 500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7702 <a href="mailto:Marianne.Meaccham@state.ma.us">Marianne.Meaccham@state.ma.us</a>
ADA / 504 Coordinator	Lorraine F. Woodson	500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7530, TTY 617-624-7590
Chief Financial Officer	Kim Egan	500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7814 <a href="mailto:Kimberly.Egan@state.ma.us">Kimberly.Egan@state.ma.us</a>
Contract Compliance Officer	Toni Gustus	500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7856 <a href="mailto:Toni.Gutus@state.ma.us">Toni.Gutus@state.ma.us</a>
Supplier Diversity Officer	Genie Nortelus	500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7751 <a href="mailto:Genie.Nortelus@state.ma.us">Genie.Nortelus@state.ma.us</a>
Acting EO/AA Coordinator	Genie P. Nortelus	500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7734 <a href="mailto:Genie.Nortelus@state.ma.us">Genie.Nortelus@state.ma.us</a>
Recruitment Coordinator	Gerald Scott	500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7751 <a href="mailto:Gerald.Scott@state.ma.us">Gerald.Scott@state.ma.us</a>

Acting Sexual Harassment Officer	Genie P. Nortelus	500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7734 <a href="mailto:Genie.Nortelus@state.ma.us">Genie.Nortelus@state.ma.us</a>
Veterans Coordinator	Rich Santucci	500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7734 <a href="mailto:Rich.Santucci@state.ma.us">Rich.Santucci@state.ma.us</a>
Language Access Coordinator	Lorraine F. Woodson	500 Harrison Ave, 2 <sup>nd</sup> Floor Boston, MA 02118 617-624-7530, TTY 617-624-7590

\*The General Counsel provides legal counsel on EO/AA issues to the Civil Rights Compliance staff and any other staff.

### **Supervisory/Managerial Personnel**

It is the responsibility of supervisory and management personnel to help implement the Plan. In their role as supervisors they will provide assistance to the Diversity Officer including, but not limited to:

- Understanding that their work performance is being evaluated on the basis of their equal employment opportunity efforts and results, as well as other criteria;
- Informing Diversity Officer of job needs and openings;
- Ensuring that protected group members are provided with EO for hiring, training, promotion, transfer, career counseling and reasonable accommodation;
- Ensuring that all employees are given full opportunities for transfers and promotions;
- Preventing any harassment of employees who are placed through Diversity/Equal Opportunity efforts or who utilize their rights pursuant to the Plan;
- Assisting in the investigation and resolution process of complaints alleging discrimination;
- Assisting in efforts to recruit a diverse workforce through active participation in career fairs and other talent sourcing events;
- Participating in Brown Bag lunches designed to foster understanding of job opportunities and skill requirements;
- Participating in agency Mentoring and Development Programs.

## **SECTION 3**

### **Organizational Profile**

[41 C.F.R. § 60-2.11(a)]

This section reflects staffing pattern profiles within each agency. Profiles are used to determine whether barriers to equal employment opportunity exist. They also help to identify organizational units where minorities, females, veterans and persons with disabilities are underrepresented or concentrated.

To determine if minorities, females, veterans\* and persons with disabilities\*\* are fairly represented in the workforce, their representation is compared to their availability. This process includes four steps:

1. Workforce Analysis
2. Job Group Analysis
3. Two-Factor Availability Analysis
4. Placement Goals

#### **3. 1 WORKFORCE ANALYSIS**

*See Appendix: AAP: C, Form #1*

##### **3.1.1 Department Summary**

As of June 30, 2017, the Department of Developmental Services employed 5907 employees. All DDS employees ultimately report to managers within DDS's Central Office. The Central Office is located at 500 Harrison Avenue, Second Floor, Boston MA 02118 in Suffolk County.

The agency divides its workforce into six departments and/or divisions, sections, or organizational units as follows:

- Senior Staff
- Field Operations
- Policy, Planning, Autism & Children's Services
- Fiscal and Business Management
- Legal
- Quality Management

## Workforce Summary - analysis

Specifically, we have listed each job title as it appears in applicable collective bargaining agreements or payroll records, ranked from the lowest paid to the highest paid (or vice versa) within each of our departments, and/or other similar organization units, including department or unit supervisors.

We have displayed within each department, (*and/or organizational unit*) for each job title, the total number of incumbents, the total number of male and female incumbents, and the total number of male and female incumbents who are Black, Hispanic, American-Indians or Alaskan Natives, and Asian or Pacific Islanders.

Finally, we have also supplied a wage rate (or salary range) for each job title. We reflect these data on the Workforce Analysis forms that are appended [*See Appendix C, AAP form #1, the Workforce Analysis with Salary Data*].

### **3.2 Job Group Analysis**

(41 C.F.R. § 60-2.12)

Below, we have provided a list of all Job Groups, including all job titles in each Job Group as well as the percentage of minorities, females, Veteran and persons with disabilities incumbent in each Job Group. We have grouped jobs having similar content, wage rates and opportunities. As a result, we have grouped the 5907 employees into eight Job Groups, including the following:

State and Local Job Codes	State and Local Job Category Titles
01	Official Administrators
02	Professionals
03	Technicians
04	Protective Services Sworn
05	Protective Services – Non-Sworn
06	Office Clerical
07	Skilled Craft
08	Service Maintenance

Job Group Analyses information appears in *Appendix D, AAP Form #2*.

### **3.3 Two-Factor Availability Analysis**

(41 C.F.R. § 60-2.14)

The Two-Factor Availability Analysis estimates the percentages of minorities, females, Veterans and persons with disabilities available for employment in each identified Job Groups. This will be used to identify the need to set a "Placement Goal" for either females or minorities, or both.

Availability is an estimate of the number of qualified minorities, females, veterans and persons with disabilities available for employment in the Job Group. The purpose of this is to establish a benchmark against which the demographic composition of the agency's incumbent workforce can be compared in order to determine whether barriers to equal employment opportunity may exist within particular Job Groups.

*[Note: Unlike the Workforce Analysis (which reported data on minorities and females by individual separate minority group) all further analysis will be reported by "minorities" and females as a whole, and not by separate minority subgroups]. (Veterans and persons with disabilities will remain the same.)*

### **3.4 Placement Goals**

Placement Goals are the most crucial portion of the AAP because they are the culmination of the analyses and they form a guide for personnel activity during the AAP cycle. The establishment of a Placement Goal does not amount to an admission of impermissible conduct. It is neither a finding of discrimination nor a lack of good faith affirmative action effort. Rather, the establishment of a Placement Goal is a technical targeting term used by the agency's affirmative action planner. The goal is used to apply good faith efforts to increase the future employment of qualified females and minorities, Veterans, and Persons with Disabilities in the workforce. *[Please see Appendix F, AAP Form #4]*

After performing the Placement Goals Analysis for **minorities**, we have established placement goals in the following EEO-4 job categories for this plan cycle.

- *Officials and Administrators*
- *Protective Services Sworn*
- *Skilled Craft*
- *Service Maintenance*
- *Office Clerical*

After performing the Placement Goals Analysis for **females**, we have established placement goals in the following EEO-4 job categories for this plan cycle.

- *Service Maintenance*

After performing the Placement Goals Analysis for **Veterans**, we have established an Agency placement goal for this plan cycle.

- *Officials and Administrators*
- *Professionals*



- *Technicians*
- *Protective Services Sworn*
- *Protective Services – Non-sworn*
- *Office Clerical*
- *Skilled Craft*
- *Service Maintenance*

After performing the Placement Goals Analysis for **Persons with Disabilities**, we have established an Agency placement goal for this plan cycle.

- *Officials and Administrators*
- *Professionals*
- *Technicians*
- *Protective Services Sworn*
- *Protective Services – Non-sworn*
- *Office Clerical*
- *Skilled Craft*
- *Service Maintenance*

## **SECTION 4**

### **IDENTIFICATION OF AREAS OF CONCERN**

The Department of Developmental Services shall adhere to basic EO/AA concepts for employment policies and practices. The EO/AA concept applies to procedures for outreach recruitment, record keeping, and any training and self-evaluation plans that may be required by such laws. Specifically, all employment policies, practices, and procedures including recruitment, hiring, transfer, promotion, compensation, training, layoff, discipline, downgrading, termination and recall will comply with the spirit and the letter of all applicable federal and state laws.

The Department of Developmental Services analyzes its total employment process to determine if impediments to equal employment opportunity exist. If impediments are identified, action-oriented programs, found in Section 4, Items 4.1 to 4.6, are used to eliminate them.

All of the Workforce reports named below have been reviewed to determine if the selection rates for each of the protected groups listed in particular Job Groups approximate the selection rates of non-minorities and males.

#### 4.1 WORKFORCE ANALYSIS

This agency shall analyze all job categories by minority, female, veterans and persons with disability status to determine if hire selection rates approximate or do not approximate selection rates for non-minorities, males, veterans and persons with disabilities.

	APPROXIMATION	MINORITIES	FEMALES	VETERANS	PERSONS with DISABILITIES
OFFICIALS & ADMINISTRATORS	Approximate		X		
	Do not approximate	X		X	X
PROFESSIONALS	Approximate		X		
	Do not approximate	X		X	X
TECHNICIANS	Approximate		X		
	Do not approximate	X		X	X
PROTECTIVE SERVICE (Sworn)	Approximate				
	Do not approximate	X	X	X	X
PROTECTIVE SERVICE (Non-Sworn)	Approximate	X	X		
	Do not approximate			X	X
OFFICE / CLERICAL	Approximate		X		
	Do not approximate	X		X	X
SKILLED CRAFT	Approximate				
	Do not approximate	X	X	X	X
SERVICE MAINTENANCE	Approximate				
	Do not approximate	X	X	X	X

## 4.2 APPLICANTS

The Agency will consider the composition of applicant flow by race, sex, veteran and person with a Disability status. The Equal Opportunity guidelines and Affirmative Action intentions will be considered before positions are filled externally and when promoting or assigning staff to different positions.

	APPROXIMATION	MINORITIES	FEMALES	VETERANS	PERSONS with DISABILITIES
OFFICIALS & ADMINISTRATORS	Approximate				
	Do not approximate	X	X	X	X
PROFESSIONALS	Approximate		X		
	Do not approximate	X		X	X
TECHNICIANS	Approximate				
	Do not approximate	X	X	X	X
PROTECTIVE SERVICE (Sworn)	Approximate				
	Do not approximate	X	X	X	X
PROTECTIVE SERVICE (Non-Sworn)	Approximate	X	X		
	Do not approximate			X	X
OFFICE / CLERICAL	Approximate		X		
	Do not approximate	X		X	X
SKILLED CRAFT	Approximate				
	Do not approximate	X	X	X	X
SERVICE MAINTENANCE	Approximate				
	Do not approximate	X	X	X	X

#### 4.3. HIRES

This agency shall analyze all job categories by minority, female, veterans and persons with disability status to determine if hire selection rates approximate or do not approximate selection rates for non-minorities, males, veterans and persons with disabilities.

	APPROXIMATION	MINORITIES	FEMALES	VETERANS	PERSONS with DISABILITIES
OFFICIALS & ADMINISTRATORS	Approximate		X		
	Do not approximate	X		X	X
PROFESSIONALS	Approximate		X		
	Do not approximate	X		X	X
TECHNICIANS	Approximate		X		
	Do not approximate	X		X	X
PROTECTIVE SERVICE (Sworn)	Approximate				
	Do not approximate	X	X	X	X
PROTECTIVE SERVICE (Non-Sworn)	Approximate		X		
	Do not approximate	X		X	X
OFFICE / CLERICAL	Approximate		X		
	Do not approximate	X		X	X
SKILLED CRAFT	Approximate				
	Do not approximate	X	X	X	X
SERVICE MAINTENANCE	Approximate				
	Do not approximate	X	X	X	X

#### 4.4 PROMOTIONS

This agency shall analyze all job categories by minority, female, veterans and persons with disability status to determine if promotion selection rates approximate or do not approximate selection rates for non-minorities, males, veterans and persons with disabilities.

	APPROXIMATION	MINORITIES	FEMALES	VETERANS	PERSONS with DISABILITIES
OFFICIALS & ADMINISTRATORS	Approximate		X		
	Do not approximate	X		X	X
PROFESSIONALS	Approximate		X		
	Do not approximate	X		X	X
TECHNICIANS	Approximate	X	X		
	Do not approximate			X	X
PROTECTIVE SERVICE (Sworn)	Approximate				
	Do not approximate	X	X	X	X
PROTECTIVE SERVICE (Non- Sworn)	Approximate		X		
	Do not approximate	X		X	X
OFFICE/CLERICAL	Approximate		X		
	Do not approximate	X		X	X
SKILLED CRAFT	Approximate				
	Do not approximate	X	X	X	X
SERVICE MAINTENANCE	Approximate				
	Do not approximate	X	X	X	X

#### 4.5 VOLUNTARY TERMINATIONS

This agency shall analyze all job categories by minority, female, veterans and persons with disability status to determine if voluntary termination rates approximate or do not approximate rates for non-minorities, males, veterans and persons with disabilities.

	APPROXIMATION	MINORITIES	FEMALES	VETERANS	PERSONS with DISABILITIES
OFFICIALS & ADMINISTRATORS	Approximate		X		
	Do not approximate	X		X	X
PROFESSIONALS	Approximate		X		
	Do not approximate	X		X	X
TECHNICIANS	Approximate		X		
	Do not approximate	X		X	X
PROTECTIVE SERVICE (Sworn)	Approximate				
	Do not approximate	X	X	X	X
PROTECTIVE SERVICE (Non-Sworn)	Approximate		X		
	Do not approximate	X		X	X
OFFICE / CLERICAL	Approximate		X		
	Do not approximate	X		X	X
SKILLED CRAFT	Approximate				
	Do not approximate	X	X	X	X
SERVICE MAINTENANCE	Approximate				
	Do not approximate	X	X	X	X

#### 4.5 INVOLUNTARY TERMINATIONS

This agency shall analyze all job categories by minority, female, veterans and persons with disability status to determine if involuntary termination selection rates approximate or do not approximate selection rates for non-minorities, males, veterans and persons with disabilities.

	APPROXIMATION	Minorities	Females	Veterans	Persons with Disabilities
OFFICIALS & ADMINISTRATORS	Approximates				
	Do not Approximate	X	X	X	X
PROFESSIONALS	Approximates		X		
	Do not Approximate	X		X	X
TECHNICIANS	Approximates		X		
	Do not Approximate	X		X	X
PROTECTIVE SERVICE (SWORN)	Approximates				
	Do not Approximate	X	X	X	X
PROTECTIVE SERVICE (NON-SWORN)	Approximates		X		
	Do not Approximate	X		X	X
OFFICE / CLERICAL	Approximates		X		
	Do not Approximate	X		X	X
SKILLED CRAFT	Approximates				
	Do not Approximate	X	X	X	X
SERVICE MAINTENANCE	Approximates				
	Do not Approximate	X	X	X	X



## **4.6 OTHER ACTIVITIES**

The Department of Developmental Services has reviewed all technical aspects of compliance such as EEO posters and policy statement displays, notifications to labor unions as to the Agency's Equal Opportunity clause, record keeping and application retention. Appropriate action will be taken where problem areas are identified.

## **SECTION 5**

### **ACTION- ORIENTED PROGRAMS**

The Department of Developmental Services has conducted an evaluation of its policies and programs, as listed in Section 3.4 (Placement Goals) and Section 4 above (Items 4.1 to 4.6) and has identified the following areas that require special attention:

- The hiring of veterans and persons with disability in all EEO-4 job categories.
- The hiring of females in the EEO-4 job categories of Skilled Craft and Service Maintenance.
- The hiring of minorities in all EEO-4 job categories, with special attention paid to the category of Officials and Administrators, specifically, managers level 5-12.

This agency has developed the below mentioned action –oriented programs tailored, with proper execution, to result in an appropriate increase in minority, females, veteran and persons with disabilities in organizational units identified if vacancies occur. Otherwise, this agency will document its good faith efforts to do so.

#### **5.1 RECRUITMENT AND OUTREACH**

This Agency is committed to working with the Human Resources Division in order to review job prerequisites and to determining the validity of the job requirements. All efforts will be made to ensure that the skill requirements are job related and are consistent with business necessity and the safe performance of the job. The agency will consider all qualified applicants for all job categories.

*Diversity Officer will need to monitor MassCareers for “new” requisitions in order to assist in creating a highly qualified and diverse applicant pool. There may be no prior notification of a position vacancy given to the Diversity Officer. Diversity Officer can utilize the EO/AA Report from MassCareers. All positions remain open until filled. For non-management positions; first consideration will be given to those applicants that apply within the first 14 days. Management positions will remain active on MassCareers until the position is filled.*

Where there is underutilization of minorities, women, persons with disabilities or veterans in any job category, vigorous recruitment efforts shall take place to locate qualified candidates to achieve the diversity objective.

Position vacancies are posted to MassCareers and circulated to organizations that serve persons covered by this Plan. When appropriate, media advertising will be utilized which includes the use minority media. Each position vacancy notice shall include the statement: "AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER"

Sources of recruitment include, but are not limited to:

- Website of the MassCareers <https://jobs.hrd.state.ma.us/recruit/public/3111/index.do>
- Website of LinkedIn, Indeed,
- Department of Employment and Training job bank referral office.
- Placement offices at colleges and universities with required programs.
- Advertisements in publications for minorities, women, veterans and persons with disabilities.
- Community organizations located in areas where protected group members reside or frequent.
- Contacts with protected group members working in the respective field or related fields.
- Contacts with community/professional organizations concerned with issues, which affect protected group members.

All unions representing employees of the Agency will be asked to refer qualified persons covered by this Plan.

For Civil Service classifications, protected group members shall be notified of job openings and encouraged to review the MassCareers website:

<https://jobs.hrd.state.ma.us/recruit/public/3111/index.do>

When there is underutilization of minorities or women in any job category, this Agency shall request the Human Resource Division to apply the provisions of Personnel Administration Rule 10 (PAR. 10). Use of this rule enables a special civil service list to obtain access for minorities or women.

The Recruitment Coordinator will maintain an active listing of recruiting sources. A continuous effort will be made to use, expand and update the list. It is expected that a reasonable percentage of the applicant pool for any job will be composed of protected group members.

A record shall be maintained of the applicants who have applied and have been interviewed for a position showing race, sex, certified Vietnam Era Veterans and Veterans status, and whether the person has self-identified as a person with disabilities. **[See Appendix Section – ATTACHMENT # 1 – EO/AA Action Report]** The record shall also show the status of their applications.

## 5.2 SELECTION

The Agency will regularly review job descriptions, specifications and classifications to eliminate any artificial barriers.

Specifications for each job title use only requisite job performance criteria. The specifications are nondiscriminatory with respect to race, color, religion, sex (except where sex is a bona fide occupational qualification) and national origin.

Position descriptions and employee specifications are available to all members of management involved in the recruiting, screening, selection and promotion process.

All personnel having any part in the selection processes are trained to ensure that these processes remain non-discriminatory.

This agency will ensure appropriate training for all employees who interview job applicants. Interviewers will be notified at the training sessions and in writing that they are to restrict their questions during the interview, to topics that relate clearly with expected job performance. Interviewers will be cautioned to use the same set of objective questions for protected group members that they use for all others. Records will be kept of the questions asked during the interview. The same criterion is used for all recommendations.

### **5.3 HIRING**

The Diversity Officer shall have sign-off authority, on appointments where AA benchmarks/targets exist. All hiring standards shall be fixed, reasonable, objective and job related.

A record shall be kept for each position filled. A record of persons interviewed, accepted, or refused for each new hire and promotion showing race, sex, disability, and veteran status shall be maintained for review upon request.

In cases of underutilization, if a member of a protected group is not hired, a reason for this shall be supplied to the diversity officer. A description of the qualifications, which are important or necessary for performance of the job and the basis on which the qualifications were determined to be important or necessary, will be noted.

Records pertaining to self-identified persons with disabilities shall be maintained in a separate, confidential file at the ADA Coordinator's Office.

Hiring records shall include the following information:

- Fully signed Appointment Authorization Form and Selection Package, with:
  - Name of selected candidate
  - Name of each applicant who was interviewed
  - Position title
  - Position number
  - Department/Agency
  - Location (address)
  - Date vacancy occurred
  - Date position was requested
  - Starting date of new position
  - Justification for hiring selected candidate
  - Reason(s) for non-selection of all other applicants
  - Race, sex, self-identification as a person with disabilities and Official Certification Number for Veterans on all applicants

## **5.4 EMPLOYEE TRAINING**

During the period covered by this Plan, the Diversity Director/Officer and the Human Resources Director/Manager in collaboration with appropriate staff will ensure that all employees are compliant on Commonwealth of Massachusetts Mandatory Trainings within six months of hire.

The Agency will update and implement career development plans for each employee.

The Diversity Director/Officer shall ensure that protected group members who are already employed in the Agency are informed of opportunities and programs for training and career development.

Supervisors shall notify all employees of opportunities for training and career development either by posting the relevant information in a conspicuous location or direct memo or enclosing the information in employee pay envelopes or conducting individual and agency-wide training sessions.

Supervisors shall hold individual conferences with employees to discuss training and career development as part of employees' performance evaluations.

In order to ensure that protected group members are participating in training and career programs, records shall be kept at the agency's Diversity Office of those receiving training and tuition remission and shall include information on the race, sex, disability and/or veteran status of the training participants.

## **5.5 PROMOTIONS**

The Agency shall consider Equal Opportunity guidelines in addition to the purpose of an Affirmative Action program when promoting or assigning staff to different positions or filling positions externally to ensure that a fair promotion procedure is established which benefits all employees.

Job openings and job requirements shall be posted in a conspicuous place. Posting will be required of all positions well in advance of the application deadline in order to ensure that all employees are aware of job vacancies.

## **5.6 DISCIPLINE**

All disciplinary actions shall comply with the Agency's Plan. When protected group members are disciplined and/or downgraded, the Diversity Officer shall review the action before it becomes final to determine if such action represents a failure in programs of the Agency and therefore calls for remedial action.

The agency's records of all disciplinary actions shall show race, sex, disability status (disability status records shall only be kept at the Agency's Diversity Office), and/or veteran status, the formal charges, findings, and sanctions imposed.

## **5.7 TERMINATION / DISCHARGE**

All termination/discharge procedures shall comply with the Agency's policies. When protected group members are terminated, the Diversity Officer shall review the action before it becomes final to determine if such action represents a cause for intervention and remedial action. The Diversity Officer shall conduct an exit interview as part of the termination process.

The agency's records of all terminations shall show race, sex, disability status, and/or veteran status, the formal charges, findings, and sanctions imposed. (Disability status records shall only be kept at the ADA Coordinator's Office.)

## **5.8 LAYOFFS**

In case of layoffs, employees shall be laid off on a nondiscriminatory basis so that Equal Opportunity principles are maintained. The Agency has broad discretion in identifying programs and functions for elimination or reduction. The Redeployment/Layoff Procedures issued by the Office of Diversity and Equal Opportunity will be followed. Therefore, it is important that the Diversity Director/Officer be an integral part of the planning process at the outset. The process will be monitored at the agency to identify patterns of adverse impact on protected group members and to ensure that EO/AA laws, rules and regulations are followed so as to minimize potential negative impacts.

The agency will review agency operations, together with work force composition and protected group representation, as it determines which functions and personnel are to be reduced.

Decisions made relative to functional responsibilities do not necessarily determine the specific individuals to be laid off. Where, for example, members of an under represented protected group perform functions which are under consideration for elimination, every effort should be made to explore various reallocations of protected personnel to avoid disproportionate layoff impacts.

If it appears that layoffs from a particular title would have a disproportionate impact on any protected group, the Agency will take steps to effect reductions from other titles, or some combination of titles and/or functions, so that the potential for adverse impact is diminished or eliminated.

The above projections and preliminary analyses must consider the potential impact of layoffs upon the composition of employees in each title and job category, taken collectively.

Identification of positions to be eliminated will not identify the individuals to be laid off. The agency will take care to see that the actual identification of individuals is deferred until after: a) affected title blocks have been selected, b) the number of affected employees in each title has been estimated, and c) these projections have been reviewed and approved by the Agency Head, Agency Diversity Officer, the Secretariat Diversity Director, the Human Resources Division's Office of Employee Relations (OER) and the Director of the Office of Diversity and Equal Opportunity in that order.

If the Agency Diversity Officer identifies the potential for disproportionate impact on any protected group in any EEO 4 job category, that information will immediately be reported in writing to the Appointing Authority. The Appointing Authority shall require the Diversity Officer, Human Resources and Labor Relations Representatives to meet jointly to explore alternatives. If matters remain unresolved, the agency should immediately notify the Secretariat Diversity Director and the Office of Diversity and Equal Opportunity of the anticipated disproportionate layoff impact(s).

All layoff notices will inform employees of their right to appeal layoff decisions to the Office of Employee Relations (OER), the Office of Diversity and Equal Opportunity, the Massachusetts Commission against Discrimination (MCAD) or other forums as appropriate.

**Identification of Problem Areas**  
**Action Oriented Programs**  
**Department of Developmental Services**

*We have conducted an evaluation of policies and programs and have identified the following areas that require special attention and have developed action oriented programs to correct those problem areas.*

<b>Areas of Concern</b>	<b>Corrective Actions</b>
Underrepresentation of Persons with Disabilities in all EEO-4 categories	<p>The Agency will notify management and professional recruitment partners of interest in attracting qualified persons with disabilities to apply for all job openings within the Agency.</p> <p>The Agency will make a concerted effort to partner with recruitment sources that are specifically geared towards persons with disabilities as well as partner with other agencies within The Commonwealth that serve persons with disabilities to recruit qualified candidates.</p> <p>The Diversity Officer will review the applicant pool for each or selected job requisitions, refer qualified applicants to the hiring manager and track their progress.</p> <p>The Diversity Officer will encourage employees to self-identify to more accurately reflect the number of employees with a disability.</p> <p>The Diversity Officer will attend job fairs that target Persons with Disabilities.</p>
Underrepresentation of Veterans in all EEO-4 categories	The Agency will notify management and professional recruitment partners of interest in attracting qualified veterans to apply for all job openings within the



	<p>Agency.</p> <p>The Agency will make a concerted effort to partner with recruitment sources that are specifically geared towards veterans as well as partner with other agencies within The Commonwealth that serve veterans to recruit qualified candidates.</p> <p>The Diversity Officer will review the applicant pool for each or selected job requisitions, refer qualified applicants to the hiring manager and track their progress.</p> <p>The Diversity Officer will encourage employees to self-identify to more accurately reflect the number of Veterans.</p> <p>The Diversity Officer will attend job fairs that target Veterans.</p>
<p>Underrepresentation of minorities, in the following EEO-4 categories:</p> <ul style="list-style-type: none"> <li>• Officials and Administrators</li> <li>• Professionals</li> <li>• Office Clerical</li> <li>• Technicians</li> <li>• Service Maintenance</li> <li>• Skilled Craft</li> </ul>	<p>Advertise through the Commonwealth Employment Opportunity website, encourage internal staff to apply for vacant positions and refer candidates to open vacancies. Revise the Agency's Mentoring Program to include employees seeking to increase their managerial skills.</p> <p>Notify in writing, Agency's management and professional recruitment sources of interest in attracting qualified minorities, to apply for job openings in these specific EEO-4 categories.</p> <p>Expand Agency recruitment program by colleges and universities with significant percentages of minorities.</p> <p>Contact local YWCA, local vocational school, and training centers to inform them of Agency's interest in attracting qualified minority applicants.</p> <p>The Diversity Officer will review the</p>

	<p>applicant pool for each or selected job requisitions, refer qualified applicants to the hiring manager and track their progress.</p> <p>The Diversity Officer will attend job fairs that target Minorities.</p>
<p>Underrepresentation of Females in the following EEO-4 categories:</p> <ul style="list-style-type: none"> <li>• Service Maintenance</li> <li>• Skilled Craft</li> </ul>	<p>Contact local YWCA, local vocational school, and training centers to inform them of Agency's interest in attracting qualified women applicants.</p> <p>The Diversity Officer will review the applicant pool for each or selected job requisitions, refer qualified applicants to the hiring manager and track their progress.</p> <p>The Diversity Officer will attend job fairs that target Females.</p>

This agency has developed the above mentioned action-oriented programs tailored, with proper execution, to result in an appropriate increase in minority, females, veteran and persons with disabilities in organizational units identified if vacancies occur. Otherwise, this agency will document its "good faith" efforts to do so.

## **SECTION 6**

# **INTERNAL AUDIT AND REPORTING SYSTEM**

The Diversity Officer / Diversity Director have the responsibility for developing and preparing the formal documents of the Affirmative Action Plan. The Diversity Officer / Diversity Director are responsible for the effective implementation of the Affirmative Action Plan; however, responsibility is likewise vested in each department manager and supervisor. Agency's audit and reporting system is designed to:

- Measure the effectiveness of the Affirmative Action Plan / Equal Employment Opportunity program;
- Document personnel activities;
- Identify problem areas where remedial action is needed; and,
- Determine the degree to which Agency's AAP goals and objectives have been obtained.

The following activities are reviewed to ensure non-discrimination and equal employment opportunity for all individuals without regard to their race, color, gender, disability status, veteran's status, religion, sexual orientation or national origin.

- Recruitment, advertising, and job application procedures,
- Hiring, promotion, layoff, and
- Any other form, condition, or privilege of employment.

The following documents are maintained as a component of Agency's internal audit process:

- An applicant flow log showing the name, race, sex, date of application, job title, interview status and the action taken for all individuals applying for job opportunities;
- Summary date of applicant flow by identifying, at least, total applicants, total minority applicants, and total female applicants for each position (Affirmative Action Data Sheet);

### **QUARTERLY**

To ensure that all components of the Affirmative Action Plan are being met, the Agency's Diversity Director/Officer will complete workforce summary, hire, termination and promotions reports accessed through the OBIEE Tool. These reports will be completed on a quarterly basis and submitted electronically to the following individuals for review and approval or rejection: Diversity Officer, Agency Head, or Secretary, Secretariat Diversity Director and Director, Office of Diversity and Equal Opportunity.

These reports shall be reviewed and analyzed by personnel within the Office of Diversity and Equal Opportunity for completeness, detail of information provided, and level of recruitment, training, and program activity. In addition, the Department of Developmental Services will report all allegations of discrimination including inquiries made, in the Internal Complaint section provided in the Quarterly Reports.

## **ANNUALLY**

On an Annual basis the Diversity Director/Officer shall audit the Department of Disability Services progress in complying with Affirmative Action principles of this document by writing an Annual Narrative report of all its activities. This report shall be sent to the designated personnel within the Office of Diversity and Equal Opportunity for review and approval or rejection consistent with reporting due dates.

In addition, the Diversity Director/Officer shall audit the Department of Disability Services progress towards meeting Affirmative Action goals by sending the Office of Diversity and Equal Opportunity designated personnel an updated Excel Spreadsheet of progress made on stated goals. The progress reports shall be reviewed and if necessary, additional strategies may be recommended to assist the Department of Disability Services to meet their stated Affirmative Action goals.

The Department of Disability Services audit system includes a quarterly report documenting Agency's efforts to achieve its EEO / AAP responsibilities. Managers and supervisors are asked to report any current or foreseeable EEO problem area and are asked to outline their suggestions / recommendations for solutions to their Agency Diversity Officer / Diversity Director. If problem areas arise, the manager or supervisor is to report problem areas immediately to the Diversity Officer. During quarterly reporting, the following occurs:

- The Diversity Officer will discuss any problems relating to significant rejection ratios, EEO changes, etc. with the Agency Head; and,
- The Diversity Officer will report the status of the Department of Developmental Services Affirmative Action Plan goals and objectives to the Agency Head. The Diversity Officer will recommend remedial actions for the effective implementation of the Affirmative Action Plan.

## **SECTION 7**

### **DISSEMINATION and COMMUNICATION**

Formal communication mechanisms have been established to disseminate the Statement of Policy to employees, applicants, and the general public.

The Diversity Director/Officer, in conjunction with the appropriate staff, shall see that the following procedures are carried out.

#### ***INTERNAL COMMUNICATION***

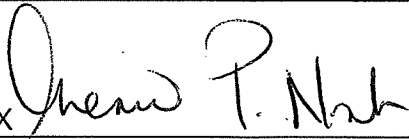



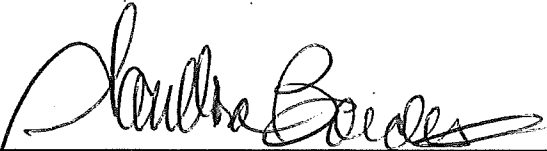
- The Statement of Policy shall be posted on all bulletin boards where official notices are displayed.
- Meetings with executive, management, and supervisory personnel shall be conducted to explain the intent of the policy. Individual responsibilities necessary for the effective implementation of the policy will be clarified and AA goals, objectives, policy statements, and new developments will be discussed.
- The Statement of Policy shall be discussed thoroughly in employee orientation and all training programs. A summary of the key provisions and amendments to the Plan shall be made available during employee orientation.
- Within 30 days after approval of the plan by the Secretariat Diversity Director and the Director of the Office of Diversity and Equal Opportunity, the agency will advise the Office of Diversity and Equal Opportunity of the dates when meetings are scheduled with union officials to inform them of the policy and to request their cooperation. Nondiscrimination clauses shall be included in all union agreements and contracts. Union contract provisions shall be reviewed to ensure they are nondiscriminatory.
- Employees shall be informed that any grievance concerning a violation of EO/AA rights may be addressed through the Resolution Process.

#### ***EXTERNAL COMMUNICATION***

- The Statement of Policy and summary of the key provisions of the Plan shall be made available to the public upon request to the agency.
- All recruitment sources, contractors, subcontractors, and vendors will be encouraged to refer minorities, women, veterans, and persons with disabilities when openings occur.
- All communication with the public in regard to recruitment, jobs, interviews, and employment shall emphasize that the agency is an EO/AA/VET/Disabled employer.
- The agency employment applications shall include a statement that the agency is an EO/AA/VET/Disabled employer.
- All applicants for employment shall be informed of the agency's EO/AA/VET/Disabled commitments.

# SIGNATURE PAGE

**PLAN DATES**  
**October 1<sup>st</sup>, 2017 to September 30, 2019**  
**(Fiscal Years 2018 to 2019)**

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Genie P. Nortelus, Acting Diversity Officer	Date
<div style="display: flex; align-items: center;"> <span style="margin-right: 5px;">x</span>  </div>	<div style="display: flex; align-items: center;"> <span style="margin-right: 5px;">11/6/17</span> </div>
Jane F. Ryder, Acting Commissioner	Date
<div style="display: flex; align-items: center;"> <span style="margin-right: 5px;">x</span>  </div>	<div style="display: flex; align-items: center;"> <span style="margin-right: 5px;">11/6/17</span> </div>
Sonia A. Bryan, Secretariat Diversity Director	Date
<div style="display: flex; align-items: center;"> <span style="margin-right: 5px;">x</span>  </div>	<div style="display: flex; align-items: center;"> <span style="margin-right: 5px;">11.19.17</span> </div>
Mary Lou Sudders, Secretary Executive office of Health and Human Services	Date
<div style="display: flex; align-items: center;"> <span style="margin-right: 5px;">x</span>  </div>	<div style="display: flex; align-items: center;"> <span style="margin-right: 5px;">11/24/2017</span> </div>
Sandra E. Borders, State Director Office of Diversity and Equal Opportunity	Date