

Montana State Library

EEO Action Plan March 2017

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EEO, Nondiscrimination, and Harassment Prevention Policy

Reasonable Accommodation and Equal Access Policy

Discrimination Compliant Resolution Form

Utilization Analysis

I. PLAN PURPOSE

This Action Plan documents the steps the Montana State Library (MSL) takes to ensure that the agency does not discriminate in employment or programs or services based upon any protected class outlined in Administrative Rules of Montana (ARM) [2.21.4005](#). The State of Montana's Equal Employment Opportunity (EEO) Policy is the basis of this plan and may be reviewed at <https://montana.policytech.com/?public=true&siteid=1>.

II. EEO, NONDISCRIMINATION, AND HARASSMENT POLICY STATEMENT

MSL provides equal access to employment, programs, services, and activities without regard to race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, pregnancy, childbirth or a medical condition related to pregnancy or childbirth, sexual orientation, gender identity or expression, political beliefs, genetic information, military service or veteran's status, culture, social origin or condition, or ancestry with the exception of special programs established by law. Furthermore, all employees have a right to work in an environment free from all forms of discrimination and harassment, including sexual harassment. Likewise, the agency will not tolerate discrimination or harassment because of a person's marriage to, or association with, individuals in one of the previously mentioned protected classes.

MSL provides reasonable accommodations, upon request, to enable qualified individuals with disabilities to perform the essential functions of their job, to enjoy equal benefits and privileges of employment, and to promote equal opportunity in hiring, unless doing so would create an undue hardship on MSL. Upon request, the agency will also consider reasonable modifications to policies and procedures and will provide effective communication to enable individuals with disabilities to participate in programs, services, or activities provided through MSL, unless doing so would create an undue burden.

MSL does not retaliate or allow, condone, or encourage others to retaliate against any patron, applicant, or current or former employee for opposing unlawful discriminatory practices, filing a discrimination complaint or participating in a discrimination proceeding, including testifying in court.

MSL makes good faith efforts to equalize employment opportunities at all levels of the agency where there is evidence of barriers to employment for those classes of people who have traditionally been denied equal employment opportunity.

Implementation of MSL's equal employment opportunity plan is the responsibility of each manager and supervisor.

The Central Services Administrative Assistant serves as MSL's Equal Opportunity (EO) Officer and American with Disabilities Act (ADA Coordinator). Individuals with questions or complaints may contact this person at (406) 444-3384.



Jennie Stapp, State Librarian

Date

III. GOAL AND STRATEGIES

MSL wishes to have a workforce that reflects the labor force in Montana. To this end, MSL's hiring officials will:

- review their recruitment, selection, and promotion process, as well as the on-the-job treatment of employees, to ensure that all classes receive equal opportunity to secure employment and promotion;
- annually review employment reports provided by the State of Montana to understand better workforce trends and to consider any factors that might contribute to employment barriers
- evaluate opportunities to mitigate any factors within our control that might positively contribute to the agency's equal opportunity workforce.

IV. UTILIZATION ANALYSIS

The State of Montana provides a utilization analysis report (see attachments) that compares MSL's workforce to Montana's labor force using weighted availability. If the workforce in a particular job group is less than the labor force, then the job group will be defined as underutilized.

Underutilization occurs when the percentage of employees in a protected group (such as women or minorities) is less than their labor force availability. The EEO Tabulation serves as the primary external benchmark for analyzing the race, ethnicity, and sex composition of an organization's internal workforce, and the equivalent external labor market, within a specified geography and job category. Montana is used for the relevant labor market in the utilization analysis. If there is a negative number in the field indicates underutilization. If there is no underutilization, a zero will be in the field.

The weighted availability takes into account the proportional relevance of each job code total (employee count), rather than treating each job code total equally. This weighted average is used in calculating the availability (labor force) at the occupational group level and at the EEO category level for females and minorities. For example, when calculating the occupational group availability, a job code with 15 employees will carry more weight than a job code with only two employees for the weighted availability.

V. EEO ACTION PLAN DISTRIBUTION

Each employee will receive a copy of this plan during new employee orientation and a review of the plan will be provided for all employees and the commission every three years. The plan will also be posted to both the Library's intranet page and the Library's external policy page.

VI. REPORTING A COMPLAINT

MSL encourages employees, applicants, clients, and customers who believe they have been discriminated against or harassed to contact agency management or the EO officer/ADA Coordinator, or human resources (HR) staff.

A. Agency Responsibilities

1. Employees and manager who receive a report of alleged discrimination or harassment shall immediately notify the agency EO officer/ADA Coordinator, or HR staff.
2. Upon receiving a complaint, agency management, with guidance from the agency EO officer/ADA Coordinator, or HR staff, shall take appropriate steps to prevent the alleged conduct from continuing, pending completion of the investigation.
3. The agency EO officer/ADA Coordinator, HR staff, or appropriate management representative will promptly initiate an investigation upon receiving a complaint.
4. The investigator shall submit the results of the investigation to the Central Services manager. The factual report shall remain confidential and may not be disseminated, except to persons having a need or right to know, which outweighs the privacy rights of persons involved.
5. Upon completion of the investigation, the appropriate manager shall promptly inform the complainant and accused, in writing, of the outcome of the investigation.
6. Agency management shall take appropriate corrective action if the investigation establishes that an employee has violated the state's EEO, Nondiscrimination, and Harassment Prevention Policy. Agency managers may only inform the complainant that appropriate action has been taken and not the details of any disciplinary action taken.
7. If the investigator finds insufficient evidence to conclude that a policy violation occurred, agency management may inform all parties that no action will be taken, and the complainant's right to file an external complaint.
8. Neither agency management nor any employee will retaliate against any employee for filing a complaint or for participating in any way in a complaint procedure.

B. Other Complaint Filing Options:

An applicant, client, customer, or employee may concurrently file a complaint of unlawful discrimination with:

1. the Human Rights Bureau, 33 S. Last Chance Gulch, Suite 2, P.O. Box 1728, Helena, MT 59624-1728, (406) 444-4356, (800) 542-0807, Montana Relay Service 711, or
2. the United States Equal Employment Opportunity Commission (EEOC) Seattle Field Office, 909 First Avenue, Suite 400, Seattle, WA 98104-1061, (800) 669-4000, TTY (800)-669-6820, ASL Video (844) 234-5122. The complaint must be filed either:
 - a. within 180 days of the alleged incident; or
 - b. if the employee initiates action to resolve the alleged discrimination in accordance with this procedure or contract grievance procedure, within 300 days of the alleged incident.
3. Service members and veterans who believe they have been discriminated against in employment based on military service or veteran status may contact:
 - a. the Employer Support of the Guard and Reserve at (800) 336-4590; or
 - b. the Veterans' Employment and Training Service (VETS) at (866) 487-2365.

Service members and veterans may submit a formal, online complaint with VETS at <http://webapps.dol.gov/elaws/vets/userra/1010.asp>.

VII. ATTACHMENTS AND LINKS

A. Policies

Both the state 'EEO, Nondiscrimination and Harassment' and 'Reasonable Accommodations and Equal Access' policies can be found at <https://montana.policytech.com/?public=true&siteid=1>.

B. Discrimination Compliant Resolution Form

The discrimination complaint resolution form can be found at <http://hr.mt.gov/newresources>.

C. Utilization Analysis

The current utilization analysis is an attachment to this document and may be found at the same website locations.

**State of Montana – State EEO Program
Utilization Analysis**

**See KEY on last page of report

Workforce

Labor Force**

State Employees

Montana

Total # Female % Female # AI/AN # Other Minorities % All Minorities

SOC Match % Female % AI/AN % Other Minorities % All Minorities

Department: 515 Montana State Library

Run Date: 01/10/2017

EEO Category: 1 Official and Administrators

Function Group: 111 Top Executives

Job Code Job Code Title

111218	Operations Manager	1	1	100.00%	0	0	0.00%	11-1021	25.84%	2.87%	3.55%	6.42%
Total for Group: 111		1	1	100.00%	0	0	0.00%	Weighted Availability	25.84%			6.42%

Underutilization 0 0

Function Group: 113 Operations Specialties Mgrs

Job Code Job Code Title

113117	Administrative Services Mgr	1	1	100.00%	0	0	0.00%	11-3011	27.38%	4.76%	7.14%	11.90%
113217	Computer Information Sys Mgr	2	0	0.00%	0	0	0.00%	11-3021	32.37%	1.45%	2.80%	4.25%
Total for Group: 113		3	1	33.33%	0	0	0.00%	Weighted Availability	30.71%			6.80%

Underutilization 0 0

Total for EEO Category : 1 Official and Administrators

4	2	50.00%	0	0	0.00%	Weighted Availability	29.49%			6.71%
						Underutilization	0			0

**State of Montana – State EEO Program
Utilization Analysis**

**See KEY on last page of report

Workforce

Labor Force**

State Employees

Montana

Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities
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EEO Category: 2 Professionals

Function Group: 131 Business Operations

Job Code Job Code Title

131756	Training Development Spc	1	1	100.00%	0	0	0.00%	13-1151	48.28%	1.38%	5.17%	6.55%
131816	Management Analyst	2	2	100.00%	0	0	0.00%	13-1111	29.75%	1.17%	0.00%	1.17%
Total for Group: 131		3	3	100.00%	0	0	0.00%					

Weighted Availability **35.93%** **2.96%**

Underutilization **0** **0**

Function Group: 151 Computer Occupations

Job Code Job Code Title

151216	Computer Programmer	13	5	38.46%	0	0	0.00%	15-1131	17.93%	0.00%	8.70%	8.70%
151336	Software Developer Application	2	2	100.00%	0	0	0.00%	15-1132	27.83%	1.42%	5.66%	7.08%
151516	Computer Systems Analyst	2	1	50.00%	0	0	0.00%	15-1121	51.77%	2.13%	4.26%	6.38%
151615	Database Administrator	2	2	100.00%	0	0	0.00%	15-1141	53.62%	2.90%	8.70%	11.59%
151616	Database Administrator	3	0	0.00%	0	0	0.00%	15-1141	53.62%	2.90%	8.70%	11.59%
151816	Network Systems Analyst	3	1	33.33%	0	0	0.00%	15-1143	8.33%	0.00%	8.33%	8.33%
Total for Group: 151		25	11	44.00%	0	0	0.00%					

Weighted Availability **27.42%** **8.92%**

Underutilization **0** **-2**

Function Group: 254 Librarians Curators

Job Code Job Code Title

254216	Librarian	9	8	88.89%	0	1	11.11%	25-4021	86.29%	1.29%	0.00%	1.29%
Total for Group: 254		9	8	88.89%	0	1	11.11%					

Weighted Availability **86.29%** **1.29%**

Underutilization **0** **0**

**State of Montana – State EEO Program
Utilization Analysis**

**See KEY on last page of report

Workforce								Labor Force**				
State Employees								Montana				
Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities		
Function Group: 259 Other Education												
<u>Job Code</u>	<u>Job Code Title</u>											
250917	Education Library Sup/Mgr	1	1	100.00%	0	0	0.00%	25-9099	59.70%	22.39%	1.19%	23.58%
Total for Group: 259		1	1	100.00%	0	0	0.00%	Weighted Availability	59.70%			23.58%
								Underutilization	0			0
Function Group: 273 Media Communication												
<u>Job Code</u>	<u>Job Code Title</u>											
273316	Public Relations Specialist	2	2	100.00%	0	0	0.00%	27-3031	46.81%	8.51%	8.51%	17.02%
Total for Group: 273		2	2	100.00%	0	0	0.00%	Weighted Availability	46.81%			17.02%
								Underutilization	0			0
Total for EEO Category : 2 Professionals		40	25	62.50%	0	1	2.50%	Weighted Availability	43.08%			7.53%
								Underutilization	0			-2

**State of Montana – State EEO Program
Utilization Analysis**

**See KEY on last page of report

Workforce

Labor Force**

State Employees

Montana

Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities
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EEO Category: 3 Technicians

Function Group: 151 Computer Occupations

Job Code	Job Code Title	Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities
151414	Computer User Support Technici	2	2	100.00%	0	0	0.00%	15-1150	32.71%	1.87%	0.00%	1.87%
151914	Data Control Tech	1	1	100.00%	0	0	0.00%	15-1199	30.06%	0.49%	2.94%	3.44%
Total for Group: 151		3	3	100.00%	0	0	0.00%	Weighted Availability	31.83%			2.39%
								Underutilization	0			0

Function Group: 254 Librarians Curators

Job Code	Job Code Title	Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities
254313	Library Technician	6	4	66.67%	0	0	0.00%	25-4031	92.86%	14.29%	0.00%	14.29%
Total for Group: 254		6	4	66.67%	0	0	0.00%	Weighted Availability	92.86%			14.29%
								Underutilization	-2			-1

Function Group: 433 Financial Clerks

Job Code	Job Code Title	Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities
433313	Accounting Technician	2	2	100.00%	0	0	0.00%	43-3031	93.22%	3.59%	2.02%	5.61%
Total for Group: 433		2	2	100.00%	0	0	0.00%	Weighted Availability	93.22%			5.61%
								Underutilization	0			0

Function Group: 436 Secretaries Admin Support

Job Code	Job Code Title	Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities
436114	Administrative Assistant	1	1	100.00%	0	0	0.00%	43-6010	97.11%	6.44%	2.18%	8.63%
Total for Group: 436		1	1	100.00%	0	0	0.00%	Weighted Availability	97.11%			8.63%
								Underutilization	0			0

**State of Montana – State EEO Program
Utilization Analysis**

**See KEY on last page of report

	Workforce						Labor Force**				
	State Employees						Montana				
	Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities
Total for EEO Category : 3 Technicians	12	10	83.33%	0	0	0.00%	Weighted Availability	78.01%			9.40%
							Underutilization	0			-1

**State of Montana – State EEO Program
Utilization Analysis**

**See KEY on last page of report

Workforce

Labor Force**

State Employees

Montana

Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities
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EEO Category: 6 Office/Clerical

Function Group: 431 Supv Office Admin Support

Job Code Job Code Title

431214	Administrative Support Sup	1	1	100.00%	0	0	0.00%	43-1011	73.29%	3.61%	2.48%	6.09%
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Total for Group: 431		1	1	100.00%	0	0	0.00%	Weighted Availability	73.29%			6.09%
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Underutilization	0	0
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Total for EEO Category : 6 Office/Clerical		1	1	100.00%	0	0	0.00%	Weighted Availability	73.29%			6.09%
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Underutilization	0	0
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Total for Agency: 515 Montana State Library		57	38	66.67%	0	1	1.75%	Weighted Availability	50.01%			7.84%
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Underutilization	0	-3
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**State of Montana – State EEO Program
Utilization Analysis**

**See KEY on last page of report

Workforce

Labor Force**

State Employees						Montana				
Total	# Female	% Female	# AI/AN	# Other Minorities	% All Minorities	SOC Match	% Female	% AI/AN	% Other Minorities	% All Minorities

KEY

AI/AN –Employees identified as American Indian or Alaskan Native or any combination of American Indian or Alaskan Native and another race/ethnicity.

Other Minorities –Employees identified as Hispanic or Latino, Black or African American, Native Hawaiian or Other Pacific Islander, Asian, or any combination of an Other Minority and another non-AI/AN race/ethnicity.

All Minorities - Total of AI/AN and Other Minorities.

WEIGHTED AVAILABILITY - Weighted availability takes into account the proportional relevance of each job code total (employee count), rather than treating each job code total equally. This weighted average is used to calculate the labor force availability at the function group level and EEO category level for women and minorities. For example, when calculating the function group availability, a job code with 15 employees will carry more weight than a job code with only 2 employees for the weighted availability.

UNDERUTILIZATION - Underutilization occurs when the percentage of female and minority employees is less than their labor force availability. Underutilization is calculated for employees within each job group. EEO officers should use underutilization data, along with other relevant workforce data, to develop strategies, goals, and objectives aimed at increasing the future representation of minorities and women in occupations showing an underutilization. A negative number (e.g., -2) in the field indicates underutilization. A zero in the field indicates no underutilization.

****The utilization analysis report extracts labor force data from the US Census Bureau's American Community Survey (ACS). The Census Bureau surveys a *sample* of the population and produces an ACS five-year estimate. As an estimate, the ACS is subject to a margin of error greater than if the entire population were surveyed (such as in a Census). This report reflects Montana labor force data, including race and gender, from the last 2010 ACS 5-year estimate and encompasses data from 2006 – 2010.**