

# Florida Department of Children and Families



## Equal Employment Opportunity Affirmative Action Plan

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DATA YEAR: SFY 2016-2017    PLAN YEAR: SFY 2017-2022

# Florida Department of Children and Families Equal Employment Opportunity / Affirmative Action Plan

Data Year: SFY 2016-2017 Plan Year: SFY 2017-2022

Location and Address: 1317 Winewood Blvd., Building 1, Room 110, Tallahassee, Florida 32399-0700

I reviewed and affirm this Plan. All reasonable steps will be taken to ensure equal employment opportunities to all job applicants and agency employees.

Signed Copy on File

\_\_\_\_\_  
Herschel C. Minnis  
Human Resources Administrator-Civil Rights  
Office of Civil Rights  
(850) 717-4564

Date \_\_\_\_\_

Signed Copy on File

\_\_\_\_\_  
Mike Carroll, Secretary  
Department of Children and Families  
(850)487-1111

Date \_\_\_\_\_

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## Legal Requirements and Agency Policies and Procedures

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in public employment because of race, color, religion, sex or national origin. The Florida Civil Rights Act prohibits discrimination in public employment because of pregnancy, age, handicap, and marital status, in addition to the protected classes or groups in Title VII. The Department honors, accepts, and enforces these protections through its promulgation of internal operating policies and procedures.\*

### \*Children and Families Operating Procedures

1. 60-5, Chapter 6, Whistle-Blower's Act, (April 3, 2017);
2. 60-10, Chapter 1, Americans with Disabilities Act (ADA) Accommodation Procedures for Applicants/Employees/General Public (September 18, 2014);
3. 60-10, Chapter 2, 60- 10, Chapter 3, Plans for Auxiliary Aids and Services for Persons with Disabilities and Limited English Proficiency (January 27, 2012);
4. 60-10, Chapter 4, Auxiliary Aids and Services for Persons who are Deaf and Hard-of-Hearing (January 27, 2012);
5. 60-10, Chapter 5, Prohibited Harassment, Including Sexual Harassment (December 1, 2010);
6. 60-15, Equal Employment Opportunity/Affirmative Action (March 15, 2016);
7. 60-40, Chapter 10, Family and Medical Leave Act (November 7, 2011); and,
8. ASHR CFP 60-1, Employee Handbook (May 4, 2017)

## Objectives

- To have a world-class workforce that compares favorably with the relevant Available Labor Market for each Equal Employment Opportunity Job Category on a local or statewide basis.
- To remain vigilant in searching for, and hiring, qualified individuals with a disability for each Equal Employment Opportunity Job Category on a local or statewide basis.
- To monitor the workforce for the purpose of eliminating workplace harassment, including sexual harassment.
- To protect the job applicant, employee's, and other person's participation in statutorily protected activity free from retaliatory action or decision making.

## **Equal Employment Opportunity, Anti-Retaliation, and Harassment Statements**

The Department of Children and Families is committed to equal employment opportunity for all employees and job applicants without regard to race, religion, color, sex, age, national origin, marital status, political affiliation, or disability. This commitment applies to terms and conditions of employment including, but not limited to, compensation, benefits, transfers, retention, discipline, and department-sponsored training or education. <https://www.eeoc.gov/laws/index.cfm>.

## **Equal Employment Opportunity, Anti-Retaliation, and Harassment Statements**

A person covered by this Plan who believes they have experienced unlawful discrimination, including unlawful retaliation, or harassment (including sexual harassment) can file a Complaint or Charge of Discrimination or Unlawful Retaliation with the:

1. DCF Office of Civil Rights  
1317 Winewood Boulevard, Building 1, Room 110, Tallahassee, Florida 32399-0700  
Office: (850) 487-1901 or Fax: (850) 921-8470
2. Florida Commission on Human Relations  
Executive Director, 4075 Esplanade Way, Room 110, Tallahassee, Florida 32301-4857  
Office: (850) 488-7082 or Fax: (850) 488-5291
3. U. S. Equal Employment Opportunity Commission  
District Director, Miami District Office  
One Biscayne Tower, Suite 2700, 2 South Biscayne Boulevard, Miami, Florida 33131  
Office: (305) 808-1740 or (800) 669-4000 or Fax: (305) 808-1855

# Dissemination of Plan

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## Internal

- An electronic copy or version of this Plan is available to agency employees on the agency's intranet web page. A hard copy or version of this Plan is also available to agency employees in the Office of Civil Rights located in the Winewood Office Complex, 1317 Winewood Boulevard, Building 1, Room 110, Tallahassee, Leon County, Florida.

## External

- An electronic copy or version of this Plan is available to non-agency employees on the agency's internet web page. A hard copy or version of this Plan is also available in the Office of Civil Rights located in the Winewood Office Complex, 1317 Winewood Boulevard, Building 1, Room 110, Tallahassee, Leon County, Florida.



# Area of Responsibility

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## **Secretary or Designee:**

The Secretary will ensure that all unreasonable or unlawful barriers to an individual's enjoyment of equal employment opportunities in the workforce are eliminated, unless doing so would constitute an undue hardship to the agency, in accordance with law.

## **The EEO Officer (or Administrator for Civil Rights):**

- Determines annual goals for the agency;
- Develops reasonable strategies and training to effectively achieve the Plan's objectives;
- Audits and reports the agency's administration of the Plan;
- Serve as a liaison for the department with outside partner agencies such as the Department of Vocational Rehabilitation; and,
- Confer with the Secretary, or designee, on significant matters related to the administration of this Plan, including establishing agency goals or objectives, all significant recommended actions, dispute resolution proceedings, other related matters of interest to the Secretary or the EEO Officer.

# Organizational Profile 2016-2017 as of March 1, 2017

Headquarters Tallahassee		Males									Women								
	Total Emp	White	B	H	A	NH/OPI	AI/AN	SOR or 2+ races	Unk	Total M	White	B	H	A	NH/OPI	AI/AN	SOR or 2+ races	Unk	Total F
<b>Headquarters SAMH</b>																			
Assistant Secretary of SAMH (W/M)	56	11	4	1						16	28	10	2						40
<b>Headquarters EES</b>																			
Assistant Secretary of EES (W/F)	325	39	26	17	4					86	91	91	48	8		1			239
<b>Headquarters IT</b>																			
Chief Information Officer (W/M)	224	98	27	9	8		1	1		144	45	23	7	4		1			80
<b>HQ Family Safety and Preservation</b>																			
Assistant Secretary CW (B/F)	466	50	50	7	5					112	130	198	22	3		1			354
<b>Mental Health Services Facilities</b>																			
Chief of MH Facilities (W/F)	34	4	2							6	25	3							28
<b>TOTAL</b>	<b>1105</b>	<b>202</b>	<b>109</b>	<b>34</b>	<b>17</b>		<b>1</b>	<b>1</b>		<b>364</b>	<b>319</b>	<b>325</b>	<b>79</b>	<b>15</b>		<b>3</b>			<b>643</b>

DCF Hospitals		Males									Women								
	Total Emp	White	B	H	A	NH/OPI	AI/AN	SOR or 2+ races	Unk	Total M	White	B	H	A	NH/OPI	AI/AN	SOR or 2+ races	Unk	Total F
<b>Florida State Hospital</b>																			
MH Hospital Administrator (W/F)	1649	198	353	6	11		2	1		571	321	714	26	11	1	1	3	1	1078
Medical Executive Director (A/F)																			
Psychological Services Director (2 W/F)																			
<b>NE Florida State Hospital</b>																			
MH Hospital Administrator (W/M, B/M)	1061	189	111	21	16		1	1		339	390	295	15	9	1	7	5		722
Medical Executive Director (W/F)																			
<b>N.FL Eval and Treatment Center</b>																			
Asst. Institution Superintendent (W/M)	355	52	89	5	11	2			1	160	52	122	11	6	1	1	2		195
Medical Executive Director (W/M)																			
Psychological Services Director (W/F)																			
<b>TOTAL</b>	<b>3080</b>	<b>439</b>	<b>553</b>	<b>32</b>	<b>38</b>	<b>2</b>	<b>3</b>	<b>2</b>		<b>1070</b>	<b>763</b>	<b>1131</b>	<b>52</b>	<b>26</b>	<b>3</b>	<b>9</b>	<b>10</b>	<b>1</b>	<b>1995</b>

Northwest, Northeast and Central	Males										Women								
	Total Emp	White	B	H	A	NH/OPI	AI/AN	SOR or 2+ races	Unknwn	Total M	White	B	H	A	NH/OPI	AI/AN	SOR or 2+ races	Unknown	Total F
<b>Northwest Region</b>																			
Regional Managing Director (W/M)	705	76	29	4			1			110	348	203	30	6	1	6	1		595
Chief Legal Counsel (W/F)																			
SAMH Administrator (W/F)																			
Program Manager (W/F)																			
<b>Northeast Region</b>	1260	107	68	14	2	2		1		194	453	524	70	14	1	2	2		1066
Regional Managing Director (W/F)																			
Chief Legal Counsel (W/M)																			
Program Manager (B/M)																			
<b>Central Region</b>	1804	152	95	61	4		1			313	568	584	316	12	5	3	3		1491
Regional Managing Director (W/M)																			
Chief Legal Counsel (B/F)																			
Program Management Directors (W/F), (B/F)																			
<b>TOTAL</b>	<b>3769</b>	<b>335</b>	<b>192</b>	<b>79</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>1</b>		<b>617</b>	<b>1369</b>	<b>1311</b>	<b>416</b>	<b>32</b>	<b>7</b>	<b>11</b>	<b>6</b>		<b>3152</b>

	Males										Women								
	Total Emp	White	B	H	A	NH/OPI	AI/AN	SOR or 2+ races	Unknwn	Total M	White	B	H	A	NH/OPI	AI/AN	SOR or 2+ races	Unknwn	Total F
<b>Suncoast Region</b>																			
Regional Managing Director (W/F)	1424	143	74	32	8		2	1		260	542	387	206	24	1	2	2		1164
Chief Legal Counsel (W/F)																			
SAMH Admsitrator (W/F)																			
Community Dev. Director (W/F)																			
<b>Southeast Region</b>	1009	81	71	16	8				1	177	193	495	127	15		2			832
Regional Managing Director (W/M)																			
Chief Legal Counsel (W/F)																			
SAMH Admsitrator (B/F)																			
General Services Officer (B/F)																			
<b>Southern Region</b>	1241	27	112	160	4					303	69	443	416	5		3		2	938
Regional Managing Director (W/F)																			
Chief Legal Counsel (H/F)																			
SAMH Admsitrator (W/F)																			
Circuit CommDev Admin (H/F)																			
<b>TOTAL</b>	<b>3674</b>	<b>251</b>	<b>257</b>	<b>208</b>	<b>20</b>		<b>2</b>	<b>1</b>	<b>1</b>	<b>740</b>	<b>804</b>	<b>1325</b>	<b>749</b>	<b>44</b>	<b>1</b>	<b>7</b>	<b>2</b>	<b>2</b>	<b>2934</b>

# Identification of Problem Areas

## Comparison of Data 2015-2016 to 2016-2017

### State Fiscal Year 2015-16

The Department compared its SFY 2015-16 workforce demographics to the then-existing relevant Available Labor Market to detect the presence, if any, of significant underutilization of the relevant Available Labor Market according to each EEO-4 Job Category groups which are:

- 01 Officials and Administrators;
- 02 Professionals;
- 03 Technicians;
- 04 Protective Services Workers;
- 05 Paraprofessionals;
- 06 Administrative Support;
- 07 Skilled Craft Workers; and
- 08 Service Maintenance

# Identification of Problem Areas

## Comparison of Data 2015-2016 to 2016-2017

### State Fiscal Year 2015-16

On a statewide basis, underutilization was found in both Male and Female groups as follows:

#### Male:

Hispanic – All EEO Job Categories

Black/African American – EEO Job Categories Administrative Support and Skilled Craft

Other\* – EEO Job Categories Officials and Administrators, Professionals, Protective Service, Administrative Support and Service Maintenance

#### Female:

Hispanic – Each EEO Job Category, except Professional

Caucasian – EEO Job Categories Protective Service and Paraprofessional

Other\* – EEO Job Categories of Officials and Administrators, Professionals, Protective Service Workers, Paraprofessionals, Skilled Craft, and Service Maintenance

Goals were required and established for SFY 2016-2017.

Plan of Action - Continue to evaluate hiring selections and advise executive leadership of the current workforce analysis.

\*This group consists of Asian, Native Hawaiian or Other Pacific Islander ("NH/OPI"), American Indian or Alaskan Native (AI/AN"), Some Other Race or 2 or More Races ("SOR/2+Races"), and Unknown.

# Identification of Problem Areas

## Comparison of Data 2015-2016 to 2016-2017

### State Fiscal Year 2016-2017

The Department compared its SFY 2016-17 workforce demographics to the then-existing relevant Available Labor Market to detect the presence, if any, of significant underutilization of the relevant Available Labor Market, according to each EEO-4 Job Category groups which are:

- 01 Officials and Administrators;
- 02 Professionals;
- 03 Technicians;
- 04 Protective Services Workers;
- 05 Paraprofessionals;
- 06 Administrative Support;
- 07 Skilled Craft Workers; and
- 08 Service Maintenance.

# Identification of Problem Areas

## Comparison of Data 2015-2016 to 2016-2017

### State Fiscal Year 2016-2017

On a statewide basis, underutilization was found in both Male and Female groups as follows:

#### Male:

Hispanic - All EEO Job Categories

#### Female:

Hispanic - Professionals and Paraprofessionals

# Internal Audit and Reporting System

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- The EEO Officer will audit the agency's administration of this Plan on an annual basis.
- A report will be prepared and submitted to the Secretary or designee; other agency executive leaders; and, to the Department of Management Services.



# Glossary

The terms used in this plan have the following meanings unless otherwise indicated:

**Adverse Impact:** A substantially different rate of selection in hiring, promotion, transfer, training or in other employment related decisions which work to the disadvantage of minorities or women. Adverse impact serves as a preliminary indicator of possible discriminatory problems, not proof of discrimination.

**Affirmative Action (AA):** Actions taken or policies and procedures implemented by an agency committed to achieving and promoting equal employment opportunity. AA in employment that complies with federal law is designed to enhance outreach and recruiting for those EEO groups in which underutilization has been identified. This occurs through implementation of proactive measures designed to find and solicit sources of qualified minority and female candidates in underutilized EEO job groups.

**Affirmative Action Plan:** The written plan which contains a narrative and statistical analysis of the agency's workforce and employment actions to determine if underutilization or other disparities exists. It also includes a description of the proactive measures being implemented (action-oriented programs) to eliminate underutilization and correct disparities to ensure equal employment opportunity.

**Available Labor Market (ALM):** Data includes individuals in the civilian labor force who are 16 years of age and older. Generally this analysis is only required when the new census data is released or when the agency goes through reorganization resulting in a change in the geographic area from which applicants apply or are recruited. The percentages produced from this exercise are used as the benchmarks against which utilization of minorities, females and persons with disabilities are measured.

**Barrier:** Personnel principle, policy, or practice which restricts or tends to limit the representative employment of applicants and retention or promotion of employees.

**EEO Groups:** Refers to the following race/ethnic groups:

- White (non-Hispanic): All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- Black or African American (non-Hispanic): All persons having origins in any of the Black racial groups of Africa.
- Hispanic: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- Asian/Pacific Islander (non-Hispanic): All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.
- American Indian/Alaskan Native (non-Hispanic): All persons having origins in any of the original North America, and who maintain cultural identification through tribal affiliation or community recognition.

**Equal Employment Opportunity:** The policy of ensuring that all qualified individuals are afforded the same rights and benefits in employment practices as provided by federal, state and local law.

**Harassment:** Unwelcome conduct based on an individual's race, religion, color, sex, age, national origin, marital status, political affiliation, or disability. Harassment becomes unlawful where it: (1) adversely affects tangible job benefits or other employment opportunities; (2) involves repeated actions, comments, or objects that unreasonably interfere with an individual's work performance; or (3) creates an intimidating, hostile, or offensive work environment. The details of DCF's Anti-Harassment Policy can be found in CFOP 60-10, Chapter 5, Prohibited Harassment, Including Sexual Harassment and section 110.105, Florida Statutes, Employment Policy of the State; Section 110.1221, Florida Statutes, Sexual Harassment Policy, etc; Section 110.201, Florida Statutes, Personnel Rules, etc.

**Inclusive work environment:** A disability-inclusive workplace is an accessible workplace. This includes physical accessibility and digital accessibility, where information and communication technology is accessible to all and/or compatible with assistive technology devices. The key is to ensure doors are open, literally and figuratively, to all qualified individuals, including people with disabilities.

**Incumbency to Availability Analysis:** This analysis compares the actual percentage of minorities and females within the department's workforce with their reported availability data in Available Labor Market data.

**Sexual Harassment:** Sexual harassment is a form of discrimination based upon a person's gender. It is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical or visual conduct of a sexual nature when: (1) submission to the conduct is an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as a basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive work environment. See Rule 60L-40.001, Florida Administrative Code, Sexual Harassment.

**80% Rule:** The "80% Rule" is used to compare the agency's workforce to the relevant Available Labor Market. When using the "80% Rule" underutilization is declared when the rate of utilization is less than 80% of the EEO group's availability. If the 80% figure is greater than the relevant workforce level in the EEO group, underutilization exists. For each indicator of underutilization, an analysis must be performed to determine if the underutilization is the result of unlawful discriminatory practices. Where the underutilization is believed to be the result of unlawful discrimination, a goal is required to correct the underutilization.