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II. Introduction

OVERVIEW OF AGENCY'S RESPONSIBILITIES.

Statutory Authority. The Nebraska Energy Office was created by LB 232 in the 1977 session of the Legislature. The Office's statutory duties are outlined in Neb. Rev. Stat. §81-1601 through §81-1641. By Executive Order (No. 87-4), the Nebraska Energy Office became a division of the Policy Research Office in 1987.

Agency Mission. The mission of the Nebraska Energy Office is to promote the efficient, economic and environmentally responsible use of energy. In support of the agency mission, the following goals have been adopted:

1. Advance the efficient use of traditional energy resources.
2. Encourage the development and use of alternate and renewable energy resources
3. Advise the executive and legislative branches of state government in the development of energy policy.
4. Utilize the Internet and computer technology to augment the delivery of information and services.

Management Process and Service Delivery Methods. The agency, through on-site monitoring and auditing, assures funds are expended and services delivered in accordance with applicable state and federal laws, rules and regulations. The agency provides locally based entities grants for the delivery of low-income weatherization services and provides technical assistance and services to building owners, building contractors and buyers. Information services are provided through web sites, a newsletter, brochures and media releases as well as presentations at meetings and seminars. Low-cost energy efficiency financing is provided to consumers in cooperation with the state's lending institutions. Program oversight and operational guidance ensures high quality customer service.

The Director of the Governor's Policy Research and Energy Office and two assistant directors manage the agency. The Assistant Director for Planning provides energy policy planning, advocacy and implementation at both the state and federal levels. This assistant identifies and analyzes problems and issues relating to energy policy and formulates policy and legislative options and recommendations to address them. The Assistant Director for Planning coordinates the activities of the Governors' Ethanol Coalition, the Governors' Public Power Alliance and is the agency's contact for the Homeland Security Leadership Group.

The Assistant Director for Operations provides administrative direction through program and fiscal management, technical assistance, personnel, accounting and budgeting services. The Assistant Director for Operations provides specific oversight and operational guidance of state and federal energy programs and services designed to achieve dollar and energy savings and preserve natural energy resources. This assistant director supervises the business manager and three division chiefs who in turn manage the programs and supervise the balance of professional, para-professional, skill-worker and clerical staff.

HOW WILL THE AFFIRMATIVE ACTION PLAN BE UTILIZED? The Affirmative Action Plan will be utilized by the Nebraska Energy Office as a tool to assure good faith efforts are being made to achieve a representative work force.

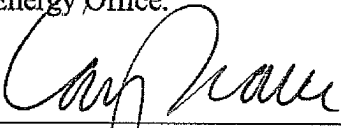
WHAT DOES THE AGENCY HOPE TO ACCOMPLISH BY ITS DEVELOPMENT? The Nebraska Energy Office hopes to develop an awareness of its work force and how it compares to the state and national work force. Staff members in the Management and Supervisory Groups will utilize the agency's Affirmative Action Plan, when approved, to make informed decisions regarding Affirmative Action and Equal Opportunity issues.

III. Statement Supporting EEO/Affirmative Action from Agency Director

The Assistant Director for Planning and the Assistant Director for Operations are the two positions in the Nebraska Energy Office in the Executive/Administrative or Management Group category, which have mutual responsibility for the administration of the Nebraska Energy Office and subsequently Affirmative Action and Equal Employment Opportunity issues.

Serving as the agency's authorized signatory and administrative representative, my signature below and on the cover page of the agency's Affirmative Action Plan represents my personal support of the contents within the plan, the agency's specific Affirmative Action/ Equal Employment Opportunity Policy, and the work of the Affirmative Action Officer.

I further represent that the agency's administrative/managerial expectation of those employees in the Supervisory Group is to follow the directives of the Assistant Directors, support the agency's Affirmative Action Plan and work cooperatively with the Affirmative Action Officer to implement the plan to achieve – to the extent possible – a representative work force in the Nebraska Energy Office.



Larry Pearce
Assistant Director for Planning

August 11, 2005

Date

Affirmative Action / Equal Employment Opportunity Policy

The Nebraska Energy Office firmly supports Affirmation Action and Equal Employment Opportunity. All policies and procedures developed and administered by the agency will be done so in a manner to prohibit discrimination against any individual or group based upon race, color, religion, sex, age, national origin, physical or mental disability, or marital status.

It is the intent of the Energy Office to maximize the effective use of human resources and ensure, to the extent possible, the agency's workforce is representative of the composition of the State labor force. All applicants for employment, as well as all current employees, will be given equal access to employment and advancement opportunities. Also, agency staff – with administrative and decision making responsibilities – will take deliberate steps to implement results-oriented procedures that identify and eliminate artificial barriers to employment and advancement which may discriminate against protected groups.

To ensure Affirmative Action and Equal Employment Opportunity, the Energy Office will:

1. Recruit, hire, train and promote in all job classifications and at all levels without regard to race, color, religion, age, sex, marital status, national origin, mental disability or physical disability.
2. Ensure all personnel actions (including but not limited to compensation, benefits, transfers, layoffs, termination, reinstatement, tuition assistance, selection for education or training, treatment during employment or any other conditions of employment) are administered in an open and non-discriminatory manner.
3. Base permanent hiring and employment decisions so as to further affirmative action and equal employment opportunity in State government.
4. Develop goals and timetables directed toward reversing situations where underutilization of protected class individuals that might exist.
5. Develop a results-oriented agency and statewide affirmative action plan.
6. Communicate the State affirmative action and equal employment opportunity policies to employees and prospective employees.
7. Identify and eliminate practices, policies and procedures which may result in disparate impact or unfair treatment.

The Energy Office will demonstrate good faith efforts to follow and promote the principles of Affirmative Action and Equal Opportunity Employment. It will participate in the affirmative action program through the development of affirmative action plans. A realization of the goals and objectives of these policies will ultimately benefit all citizens of the State of Nebraska.



Larry Pearce
Assistant Director for Planning

August 11, 2005

Date

IV. Responsibilities of the Affirmative Action Officer

The responsibilities of the Affirmative Action Officer include:

- Prepare the annual Affirmative Action Plan for agency's administrative review;
- Submit the annual Affirmative Action Plan, as approved by the agency's administrative personnel, to the State Affirmative Action Officer;
- Collect and analyze data, which is used to measure progress toward goals and objectives established in the annual plan relating to specific remedies to employment concerns and to insure ongoing equal employment opportunity.
- Prepare quarterly reports, which are used to assess the good faith efforts of the agency to comply with Affirmative Action requirements and the agency's Annual Plan; and submit quarterly reports to the State Affirmation Action Officer no later than October 5, January 5, April 5 and July 1 annually.
- Provide information and technical support as needed to managers in areas relating to Affirmative Action; and work with management to identify problem areas as well as develop a plan and implement steps to resolve any such problem;
- Provide for internal and external communication of Affirmative Action policies, plans, and procedures;
- Serve as a contact person for any employee who has an Affirmative Action / Equal Employment Opportunity (AA/EEO) concern;
- Participate in meetings of Affirmative Action Officers, as organized by the State Affirmative Action Officer;
- Share information, provided by the State Affirmative Action Officer, with agency employees as appropriate;
- Observe the work environment for any real or perceived barriers to equal opportunity and recommend corrective action;
- Perform other duties as necessary to develop and maintain an effective affirmative action program.

V. Sexual Harassment

The Nebraska Energy Office affirms that all women and men are to be treated fairly, equally, and with dignity and respect. Any form of sexual harassment contradicts the policies of the State of Nebraska and will be treated as discrimination on the basis of sex.

Sexual harassment is defined by the Nebraska Energy Office to be any unsolicited behavior which asserts a person's sex as a factor of his/her functions as an employee. It includes any unwanted sexual behavior, comments, suggestions, physical contact, propositions backed by implied or actual threats of losing or lowering work, and/or forced sexual relations. Unwelcome sexual advances, whether verbal or physical, are prohibited if:

- a. Submission to such advances is either an explicit or implicit condition of a person's employment;
- b. Submission to or rejection of the advance affects the job or status a person holds; or
- c. The conduct substantially interferes with the employee's work performance or creates an atmosphere of intimidation or hostility.

In addition to violating this section of the Affirmative Action Plan, sexual harassment is considered a form of sex discrimination and is prohibited under *Title VII of the Civil Rights Act of 1964* as amended.

Given the State of Nebraska's policy concerning standards of conduct and the legal obligation to eliminate discrimination, the Nebraska Energy Office will take prompt and immediate action to investigate instances of reported sexual harassment. This will be accomplished using the same complaint and grievance procedures as for other discrimination charges.

Sexual harassment does not include personal compliments welcomed by the recipient, or social interaction or relationships freely entered into by the employees or prospective employees.

VI. Workforce Analysis

DEFINITIONS. The following definitions are based on federal guidelines (Source: *Preparation Guide for Affirmative Action Plans* - July 1, 2005):

Group definitions.

- White - (Not of Hispanic or Latino origin) - All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.
- Black - (Not of Hispanic or Latino origin) - 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 or Pacific Islander - 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, Japan, Korea, the Philippine Islands and Samoa.
- American Indian or Alaskan Native - All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

In addition to the five group identification categories listed, the following combinations are also tracked:

- Black or African American *and* White not Hispanic or Latino
- Asian and White not Hispanic or Latino
- American Indian or Alaska Native *and* White not Hispanic or Latino

- American Indian or Alaska Native *and* Black or African American not Hispanic or Latino
- Balance of individuals reporting more than one race not Hispanic or Latino plus individuals reporting some other race not Hispanic or Latino
- Other Hispanic or Latino

Persons with disabilities. Any person who has a physical or mental impairment, which substantially limits one or more major life activities, has a record of such impairment or is regarded as having such impairment.

Age group. Persons between the ages of 40 and 70, inclusive.

AGENCY TOTALS BY CATEGORY. Nebraska Energy Office had a total of 19 employees of March 31, 2005.

| EEO Job Category | TOTAL | Male | Female | African - American | Hispanic | Other * | Disability | Age 40+ |
|--|-----------|-----------|----------|--------------------|----------|----------|------------|-----------|
| Executive/Managerial (Officials & Administrators) | 2 | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| Professional | 14 | 9 | 5 | 0 | 0 | 0 | 1 | 14 |
| Para-Professional | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Technical | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Skilled Craft Worker | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Office/Clerical (Administrative Support) | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| Service/Maintenance | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Protective Services | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 19 | 12 | 7 | 0 | 0 | 1 | 1 | 19 |
| Percent | 100 | 63 | 37 | 0 | 0 | 5 | 5 | 100 |

* Includes Alaskan Native, Native American and Asian or Pacific Islander

COMPARISON OF FEMALE PERCENTAGES. As of **March 31, 2005**, the Energy Office females are underutilized by two (2) persons for the agency as a whole.

| Work Force Category | Gender | Nebraska Labor Force (percent) | Energy Office (percent) | Energy Office (number) |
|---------------------|--------|--------------------------------|-------------------------|------------------------|
| Executive | Male | 65.70 | 50.00 | 1 |
| | Female | 34.30 | 50.00 | 1 |
| Professional | Male | 42.80 | 71.43 | 10 |
| | Female | 57.20 | 28.57 | 4 |
| Para-Professional | Male | 9.40 | 100.00 | 1 |
| | Female | 90.60 | 0.0 | 0 |
| Skilled Worker | Male | 93.30 | 100.00 | 1 |
| | Female | 6.70 | 0.0 | 0 |
| Office / Clerical | Male | 30.60 | 0.0 | 0 |
| | Female | 69.40 | 100.0 | 1 |
| Total | Male | 52.70 | 63.16 | 12 |
| | Female | 47.30 | 36.84 | 7 |

Comparison of Minority Percentages. As of March 31, 2005, the Nebraska Energy Office did not have any employees designated as a minority ethnic group. The agency's ethnic group percentages by work force category are as follows:

| Work Force Category | Ethnic Group | Nebraska Labor Force (percent) | Energy Office (percent) | Energy Office (number) |
|---------------------|------------------|--------------------------------|-------------------------|------------------------|
| Executive | Non-Minority | 95.6 | 100.0 | 2 |
| | African American | 1.7 | 0 | 0 |
| | Hispanic | 1.4 | 0 | 0 |
| | Other | 1.3 | 0 | 0 |
| | Total | 100.0 | 100.0 | 2 |
| Professional | Non-Minority | 93.0 | 100.0 | 14 |
| | African American | 2.1 | 0 | 0 |
| | Hispanic | 1.7 | 0 | 0 |
| | Other | 3.2 | 0 | 0 |
| | Total | 100.0 | 100.0 | 14 |
| Para-Professional | Non-Minority | 92.3 | 100.0 | 1 |
| | African American | 4.3 | 0 | 0 |
| | Hispanic | 2.2 | 0 | 0 |
| | Other | 1.2 | 0 | 0 |
| | Total | 100.0 | 100.0 | 1 |
| Skilled Worker | Non-Minority | 92.2 | 100.0 | 1 |
| | African American | 1.7 | 0 | 0 |
| | Hispanic | 4.1 | 0 | 0 |
| | Other | 2.0 | 0 | 0 |
| | Total | 100.0 | 100.0 | 1 |
| Office / Clerical | Non-Minority | 91.5 | 100.0 | 1 |
| | African American | 3.7 | 0 | 0 |
| | Hispanic | 2.7 | 0 | 0 |
| | Other | 2.1 | 0 | 0 |
| | Total | 100.0 | 100.0 | 1 |
| Total | Non-Minority | 89.9 | 100.0 | 18 |
| | African American | 3.1 | 0 | 0 |
| | Hispanic | 4.4 | 0 | 0 |
| | Other | 2.6 | 0 | 1 |
| | Total | 100.0 | 100.0 | 19 |

Identification of Areas of Underutilization

| EEO Category | Underutilized |
|----------------------|---|
| Executive/Managerial | No underutilization |
| Professional | Female by four (3); Total Ethnic by one (1) |
| Para-Professional | Female by one (1) |
| Technical | No underutilization |
| Skilled Craft | No underutilization |
| Office/Clerical | No underutilization |
| Service/Maintenance | Not applicable |
| Protective Services | Not applicable |
| Total Agency | Total Ethnic by two (2) |

COMPARATIVE ANALYSIS of Nebraska State Workforce by EEO-4 Category

| | | EXECUTIVE/MANAGERIAL STATE EMPLOYEE WORK FORCE | | | | | NIS "Officials and Administrators" | | | |
|----------------------|--------------------------------|--|-------------------------------|--------------|--------------|-----------------|------------------------------------|------------------|----------|--------------|
| Nebraska Labor Force | Nebraska Labor Force by Gender | | State Totals As of March 2005 | | | Agency Totals # | Agency Totals % | Underutilization | | |
| 65.70% | WM=63.3% | Male | 54.4% | WM=55.7% | 618 | 1 | 50.00% | 1 | FALSE | |
| 34.30% | WF=32.1% | Female | 45.6% | WF=39.2% | 518 | 1 | 50.00% | 1 | FALSE | |
| 100.0% | | Total | 100.0% | | 1136 | 2 | 100.00% | | | |
| | 95.4% | N-MGM | | 96.1% | 1092 | | | | | |
| | | | | Male | Female | | | | | |
| 1.70% | (F=.9%; M=.9%) | Afr Am'can | 1.58% | 1.1% | 0.4% | 18 | 0 | 0.00% | 0 | FALSE |
| 1.40% | (F=.6%; M=.8%) | Hispanic | 0.70% | 0.3% | 0.4% | 8 | 0 | 0.00% | 0 | FALSE |
| 1.30% | (F=.6%; M=.8%) | Other | 1.58% | 1.1% | 0.5% | 18 | 0 | 0.00% | 0 | FALSE |
| 4.4% | (F=.3%; M=.5%) | Total | 3.87% | 2.46% | 1.41% | 44 | 0 | 0.00% | 0 | FALSE |
| | | Disability | 0.0% | | | | 0 | 0.00% | | |

| | | PROFESSIONAL STATE EMPLOYEE WORK FORCE | | | | | NIS "Professionals" | | | |
|----------------------|--------------------------------|--|-------------------------------|--------------|--------------|-----------------|---------------------|------------------|----------|-------------|
| Nebraska Labor Force | Nebraska Labor Force by Gender | | State Totals As of March 2005 | | | Agency Totals # | Agency Totals % | Underutilization | | |
| 42.80% | WM=39.3% | Male | 41.7% | WM=39.9% | 2956 | 9 | 64.29% | 6 | FALSE | |
| 57.20% | WF=53.6% | Female | 58.3% | WF=53.4% | 4134 | 5 | 35.71% | 8 | TRUE | |
| 100.0% | | Total | 100.0% | | 7090 | 14 | 100.00% | | | |
| | 92.9% | N-MGM | | 92.6% | 6562 | | | | | |
| | | | | Male | Female | | | | | |
| 2.10% | (F=1.3%; M=.8%) | Afr Am'can | 2.62% | 0.9% | 1.7% | 186 | 0 | 0.00% | 0 | FALSE |
| 1.70% | (F=1.0%; M=.7%) | Hispanic | 2.30% | 0.8% | 1.5% | 163 | 0 | 0.00% | 0 | FALSE |
| 3.20% | (F=1.3%; M=1.8%) | Other | 2.52% | 1.2% | 1.3% | 179 | 0 | 0.00% | 0 | FALSE |
| 7.0% | (F=2.5%; M=2.0%) | Total | 7.45% | 2.99% | 4.46% | 528 | 0 | 0.00% | 1 | TRUE |
| | | Disability | 0.0% | | | | 0 | 0.00% | | |

2000 Nebraska Census Data
Non-Minority Group Member (N-MGM)

COMPARATIVE ANALYSIS of Nebraska State Workforce by EEO-4 Category

| PARA-PROFESSIONAL STATE EMPLOYEE WORK FORCE | | | | | | | | | |
|---|--------------------------------|--------------|-------------------------------|--------------|--------------|-----------------|-----------------|------------------|----------|
| NIS "Para-Professionals" | | | | | | | | | |
| Nebraska Labor Force | Nebraska Labor Force by Gender | | State Totals As of March 2005 | | | Agency Totals # | Agency Totals % | Underutilization | |
| 9.40% | WM=8.6% | Male | 21.1% | WM=26.9% | 525 | 1 | 100.00% | 0 | FALSE |
| 90.60% | WF=83.7% | Female | 78.9% | WF=66.1% | 1966 | 0 | 0.00% | 1 | TRUE |
| 100.0% | | Total | 100.0% | | 2491 | 1 | 100.00% | | |
| | 92.3% | N-MGM | | 91.3% | 2274 | | | | |
| | | | | Male | Female | | | | |
| 4.3% | (F=4.0%; M=.3%) | Afr Am'can | 3.45% | 1.1% | 2.4% | 86 | 0 | 0.00% | 0 |
| 2.2% | (F=1.9%; M=.3%) | Hispanic | 3.61% | 0.4% | 3.2% | 90 | 0 | 0.00% | 0 |
| 1.2% | (F=1.0%; M=.2%) | Other | 1.65% | 0.5% | 1.1% | 41 | 0 | 0.00% | 0 |
| 7.7% | (F=6.9%; M=.8%) | Total | 8.71% | 2.05% | 6.66% | 217 | 0 | 0.00% | 0 |
| | | Disability | 0.0% | | | | 0.00% | | |

| TECHNICAL STATE EMPLOYEE WORK FORCE | | | | | | | | | |
|-------------------------------------|--------------------------------|--------------|-------------------------------|--------------|--------------|-----------------|-----------------|------------------|----------|
| NIS "Technicians" | | | | | | | | | |
| Nebraska Labor Force | Nebraska Labor Force by Gender | | State Totals As of March 2005 | | | Agency Totals # | Agency Totals % | Underutilization | |
| 64.50% | WM=60.0% | Male | 74.3% | WM=73.1% | 613 | 0 | #DIV/0! | 0 | FALSE |
| 36.50% | WF=34.9% | Female | 25.7% | WF=23.6% | 212 | 0 | #DIV/0! | 0 | FALSE |
| 100.0% | | Total | 100.0% | | 825 | 0 | #DIV/0! | | |
| | 94.9% | N-MGM | | 96.6% | 797 | | | | |
| | | | | Male | Female | | | | |
| 2.2% | (F=1.1%; M=1.5%) | Afr Am'can | 1.33% | 1.1% | 0.2% | 11 | 0 | #DIV/0! | 0 |
| 1.5% | (F=.2%; M=1.6%) | Hispanic | 0.73% | 0.6% | 0.1% | 6 | 0 | #DIV/0! | 0 |
| 1.4% | (F=.1%; M=.9%) | Other | 1.33% | 0.8% | 0.5% | 11 | 0 | #DIV/0! | 0 |
| 5.1% | (F=2.3%; M=2.8%) | Total | 3.39% | 2.55% | 0.85% | 28 | 0 | #DIV/0! | 0 |
| | | Disability | 0.0% | | | | #DIV/0! | | |

changed per 7/27/05 email from C. Roberson

2000 Nebraska Census Data
Non-Minority Group Member (N-MGM)

COMPARATIVE ANALYSIS of Nebraska State Workforce by EEO-4 Category

| | | SKILLED CRAFT WORKERS STATE EMPLOYEE WORK FORCE | | | | | NIS "Skilled Craft Workers" | | | |
|----------------------|--------------------------------|---|-------------------------------|--------------|--------------|-----------------|-----------------------------|------------------|----------|--------------|
| Nebraska Labor Force | Nebraska Labor Force by Gender | | State Totals As of March 2005 | | | Agency Totals # | Agency Totals % | Underutilization | | |
| 93.30% | WM=86.1% | Male | 93.4% | WM=88.5% | | 467 | 1 | 100.00% | 1 | FALSE |
| 6.70% | WF=06.0% | Female | 6.6% | WF=8.8% | | 33 | 0 | 0.00% | 0 | FALSE |
| 100.0% | | Total | 100.0% | | | 500 | 1 | 100.00% | | |
| | 92.1% | N-MGM | | 98.2% | | 491 | | | | |
| | | | | Male | Female | | | | | |
| 1.70% | (F=.2%; M=1.5%) | Afr Am'can | 0.40% | 0.2% | 0.2% | 2 | 0 | 0.00% | 0 | FALSE |
| 4.10% | (F=.2%; M=3.8%) | Hispanic | 0.40% | 0.4% | 0.0% | 2 | 0 | 0.00% | 0 | FALSE |
| 2.00% | (F=.3%; M=1.7%) | Other | 1.00% | 1.0% | 0.0% | 5 | 0 | 0.00% | 0 | FALSE |
| 7.8% | (F=.5%; M=4.0%) | Total | 1.80% | 1.60% | 0.20% | 9 | 0 | 0.00% | 0 | FALSE |
| | | Disability | 0.0% | | | | | 0.00% | | |

| | | OFFICE/CLERICAL STATE EMPLOYEE WORK FORCE | | | | | NIS "Administrative Support" | | | |
|----------------------|--------------------------------|---|-------------------------------|--------------|--------------|-----------------|------------------------------|------------------|----------|--------------|
| Nebraska Labor Force | Nebraska Labor Force by Gender | | State Totals As of March 2005 | | | Agency Totals # | Agency Totals % | Underutilization | | |
| 30.60% | WM=27.7% | Male | 10.6% | WM=9.1% | | 197 | 0 | 0.00% | 0 | FALSE |
| 69.40% | WF=63.7% | Female | 89.4% | WF=70.4% | | 1668 | 1 | 100.00% | 1 | FALSE |
| 100.0% | | Total | 100.0% | | | 1865 | 1 | 100.00% | | |
| | 91.4% | N-MGM | | 91.6% | | 1708 | | | | |
| | | | | Male | Female | | | | | |
| 3.70% | (F=2.4%; M=1.3%) | Afr Am'can | 2.52% | 0.3% | 2.2% | 47 | 0 | 0.00% | 0 | FALSE |
| 2.70% | (F=1.8%; M=.9%) | Hispanic | 2.90% | 0.2% | 2.7% | 54 | 0 | 0.00% | 0 | FALSE |
| 2.10% | (F=1.5%; M=.6%) | Other | 3.00% | 0.6% | 2.4% | 56 | 0 | 0.00% | 0 | FALSE |
| 8.5% | (F=4.7%; M=1.6%) | Total | 8.42% | 1.13% | 7.29% | 157 | 0 | 0.00% | 0 | FALSE |
| | | Disability | 0.0% | | | | | 0.00% | | |

2000 Nebraska Census Data
Non-Minority Group Member (N-MGM)

COMPARATIVE ANALYSIS of Nebraska State Workforce by EEO-4 Category

SERVICE/MAINTENANCE STATE EMPLOYEE WORK FORCE

| Nebraska Labor Force | Nebraska Labor Force by Gender | | State Totals As of March 2005 | | | | Agency Totals # | Agency Totals % | Underutilization | |
|----------------------|--------------------------------|------------|-------------------------------|----------|--------|------|-----------------|-----------------|------------------|-------|
| 56.40% | WM=46.3% | Male | 68.6% | WM=63.4% | | 1147 | 0 | #DIV/0! | 0 | FALSE |
| 43.60% | WF=36.9% | Female | 31.4% | WF=29.5% | | 525 | 0 | #DIV/0! | 0 | FALSE |
| 100.0% | | Total | 100.0% | | | 1672 | 0 | #DIV/0! | | |
| | 83.2% | N-MGM | | 92.5% | | 1546 | | | | |
| | | | | Male | Female | | | | | |
| 4.00% | (F=1.8%; M=2.5%) | Afr Am'can | 2.75% | 1.8% | 1.0% | 46 | 0 | #DIV/0! | 0 | FALSE |
| 9.20% | F= 3.1%; M=6% | Hispanic | 3.53% | 2.0% | 1.6% | 59 | 0 | #DIV/0! | 0 | FALSE |
| 3.60% | (F=1.8%; M=1.9%) | Other | 1.26% | 0.8% | 0.4% | 21 | 0 | #DIV/0! | 0 | FALSE |
| 16.8% | (F=1.0%; M=1.1%) | Total | 7.54% | 4.61% | 2.93% | 126 | 0 | #DIV/0! | 0 | FALSE |
| | | Disability | 0.0% | | | | | #DIV/0! | | |

PROTECTIVE SERVICE STATE EMPLOYEE WORK FORCE

| Nebraska Labor Force | Nebraska Labor Force by Gender | | State Totals As of March 2005 | | | | Agency Totals # | Agency Totals % | Underutilization | |
|----------------------|--------------------------------|------------|-------------------------------|----------|--------|------|-----------------|-----------------|------------------|-------|
| 77.05% | WM=69.1% | Male | 74.0% | WM=68.4% | | 2124 | 0 | #DIV/0! | 0 | FALSE |
| 22.95% | WF=19.2% | Female | 26.0% | WF=22.5% | | 746 | 0 | #DIV/0! | 0 | FALSE |
| 100.0% | | Total | 100.0% | | | 2870 | 0 | #DIV/0! | | |
| | 88.3% | N-MGM | | 90.6% | | 2600 | | | | |
| | | | | Male | Female | | | | | |
| 4.11% | (F=1.7%; M=2.4%) | Afr Am'can | 3.87% | 2.9% | 1.0% | 111 | 0 | #DIV/0! | 0 | FALSE |
| 2.60% | F= .5%; M=2.1% | Hispanic | 2.37% | 1.8% | 0.6% | 68 | 0 | #DIV/0! | 0 | FALSE |
| 1.50% | (F=.5%; M=1%) | Other | 3.17% | 2.1% | 1.1% | 91 | 0 | #DIV/0! | 0 | FALSE |
| 8.2% | (F=1.6%; M=1.4%) | Total | 9.41% | 6.72% | 2.68% | 270 | 0 | #DIV/0! | 0 | FALSE |
| | | Disability | 0.0% | | | | | #DIV/0! | | |

2000 Nebraska Census Data
Non-Minority Group Member (N-MGM)

COMPARATIVE ANALYSIS of Nebraska State Workforce by EEO-4 Category

| TOTAL STATE EMPLOYEE WORK FORCE | | | | | | | | | | | |
|---------------------------------|--------------------------------|---------------|-------------------------------|--|--------------|--------------|-----------------|-----------------|------------------|----------|-------------|
| Nebraska Labor Force | Nebraska Labor Force by Gender | | State Totals as of March 2005 | | | | Agency Totals # | Agency Totals % | Underutilization | | |
| 52.70% | WM=47.1% | Male | 46.9% | | WM=44.5% | 8647 | 12 | 63.16% | 10 | FALSE | |
| 47.30% | WF=42.7% | Female | 53.1% | | WF=47.3% | 9802 | 7 | 36.84% | 9 | TRUE | |
| 100.0% | | Total | 100.0% | | | 18449 | 19 | 100.00% | | | |
| | 89.8% | N-MGM | | | 92.5% | 17070 | | | | | |
| | | | | | | | | | | | |
| | | | | | Male | Female | | | | | |
| 3.10% | (F=1.5%; M=1.6%) | Afr Am'can | 2.76% | | 1.3% | 1.5% | 507 | 0 | 0.00% | 1 | TRUE |
| 4.40% | (F= 2.7%; M=1.7%) | Hispanic | 2.45% | | 0.9% | 1.5% | 450 | 0 | 0.00% | 1 | TRUE |
| 2.60% | (F=1.4%; M=1.3%) | Other | 1.66% | | 0.8% | 0.8% | 422 | 0 | 0.00% | 0 | FALSE |
| 10.1% | (F=3.2%; M=3.2%) | Total | 6.86% | | 3.04% | 3.82% | 1379 | 0 | 0.00% | 2 | TRUE |
| | | Disability | 0.0% | | | | | | 0.00% | | |

2000 Nebraska Census Data
Non-Minority Group Member (N-MGM)

VII. Personnel Policies and Procedures

The Assistant Director for Planning and/the Assistant Director for Operations are responsible for the organizational policies and procedures regarding all personnel actions; and as such are also responsible to see that policies and procedures are evaluated and brought into concert with the Equal Opportunity Employment/Affirmative Action programs. These areas involve recruitment, selection, transfer, promotions, hiring, demotions, discharges, performance evaluations, reclassifications, benefits, training, reduction-in-force and any other activities which impact on employees and the general public.

VIII. Establishing Goals and Timelines

| | | |
|---|--|------------------------------|
| Goal #1: The Nebraska Energy Office will make every effort to increase female representation and decrease female underutilization for the Professional category. | | |
| Action Steps | Individual(s) Responsible | Target Date |
| Place an emphasis on the recruitment of qualified females when an opening becomes available, utilizing internal audits/evaluations, supportive programs and external activities as appropriate. | Assistant Director for Planning and/or Assistant Director for Operations | On or before March 31, 2006. |

| | | |
|---|--|------------------------------|
| Goal #2: The Nebraska Energy Office will make every effort to increase female representation and decrease female underutilization for the Professional category. | | |
| Action Steps | Individual(s) Responsible | Target Date |
| Place an emphasis on the recruitment of qualified females when an opening becomes available, utilizing internal audits/evaluations, supportive programs and external activities as appropriate. | Assistant Director for Planning and/or Assistant Director for Operations | On or before March 31, 2006. |

| | | |
|---|--|------------------------------|
| Goal #3: The Nebraska Energy Office will attempt to increase total ethnic representation and decrease total ethnic underutilization for the Professional category. | | |
| Action Steps | Individual(s) Responsible | Target Date |
| Place an emphasis on the recruitment of qualified females when an opening becomes available, utilizing internal audits/evaluations, supportive programs and external activities as appropriate. | Assistant Director for Planning and/or Assistant Director for Operations | On or before March 31, 2006. |

IX. Internal Audits / Evaluations

The Assistant Director for Planning and/the Assistant Director for Operations are responsible to insure the objectives of the agency's Affirmative Action Plan are being actively pursued. The manner in which this is done will be at the discretion of the two positions in the Executive / Managerial category, which is also referred to as the Management Group (Group Code G).

X. Supportive Programs

When an opening becomes available, the Assistant Director for Planning and/or the Assistant Director for Operations may, to the extent reasonable, utilize supportive programs to accomplish an affirmative action goal by developing existing workforce members. Examples of supportive programs include internal on-the-job training, career ladder bridging, tuition assistance, upward mobility and internships.

XI. External Activities

When a position opening becomes available, external recruiting activities of the Nebraska Energy Office may include actions such as:

1. Inform all external recruiting sources, recommended by the State of Nebraska's Department of Administrative Services – Personnel Division, that the Nebraska Energy Office is an Equal Employment Opportunity/Affirmative Action employer, and encouraging them to refer qualified applicants for advertised openings.
2. All advertisements of employment positions will include language that the State of Nebraska is an Equal Opportunity/ Affirmative Action Employer.

XII. Minority / Women Business Enterprise Programs

The Energy Office does not have a federally mandated requirement to develop Minority Business Enterprise (MBE) or Women Business Enterprise (WBE) programs.

XIII. Union Contracts

The Energy Office complies with the NAPE/ASCME contract and does not directly enter into any agreement with Public Employee Unions.

XIV. Complaint Processing

Handling Complaints. All complaints will be handled in a timely and confidential manner. Information concerning a complaint will not be released to anyone who is not a party to or involved in the investigation. Complainants and other persons involved in the investigation of an allegation of work place harassment will not be subjugated to retaliation, coercion, intimidation or fear of reprisal.

Directives to Supervisors. Work place harassment can and does create a negative work environment that will affect productivity, efficiency, work attendance and turnover of staff. In addition, allegations of work place harassment – which are not appropriately responded to by the agency – may place the State of Nebraska in a position of potential liability to the victim of such harassment. It is essential supervisory personnel take all work place harassment complaints seriously. It is also essential the agency act immediately to investigate and resolve all such complaints in accordance to the following procedures:

Procedures for Handling a Complaint.

1. Reporting of Complaint

- a. Any supervisor who receives a complaint alleging work place harassment or who is otherwise aware of a situation involving work place harassment will be required to immediately report that complaint or situation, in writing, to the agency head or to his/her designee.
- b. Any failure by a supervisor to report such work place harassment complaints or situations will be considered to be in violation of this Policy and will subject the supervisor to appropriate corrective or disciplinary action.
- c. Any supervisor receiving a complaint alleging work place harassment will also be obligated to immediately notify the complainant of the agency's policy concerning work place harassment and of the complainant's rights concerning the pursuit of such allegations, as set forth in this policy. This notification will be achieved by giving the complainant a copy of this policy, including the section on "Complainant's Rights" as set forth in this policy.
- d. Except as otherwise provided by this policy, any supervisor receiving a complaint or report of work place harassment will: 1) take proper care to protect the identity of the complainant or complainants and the accused party or parties and 2) will endeavor to hold the allegations of work place harassment in confidence pending appropriate action by the agency.

2. Investigative Procedures.

- a. In the event the agency head or his/her designee receives a report of alleged work place harassment, the agency head or designee will immediately take all necessary steps to ensure the report is promptly and thoroughly investigated by the agency.

b. At the complainant's request, the investigating officer may seek informal resolution of the complaint by bringing the offensive behavior to the attention of the accused party or parties and by securing agreement that the behavior will not be repeated. If such informal resolution is accomplished, and no further investigation is required, then the investigating officer will submit a report to the agency head. If the offending party or parties denies the allegation, or if an informal resolution of the matter cannot be achieved, then the investigating officer will complete the steps outlined below.

1. The investigative officer will be obligated to make certain that the complainant has been advised of the agency's Policy concerning work place harassment and of the complainant's rights concerning pursuit of such allegations, as set forth in this policy.
2. Except as otherwise provided by this Policy, and except as may be reasonably necessary to successfully complete an investigation of work place harassment allegations, the investigative officer will take proper care to protect the identity of the complainant or complainants and of the accused party or parties and will endeavor to hold the allegations of work place harassment in confidence pending action by the agency.
3. Prior to the completion of the investigation, the investigative officer will consult with the agency head or designee concerning the progress of the investigation.
4. Upon completion of the investigation, the investigative officer will prepare a report, in writing, stating the findings of the investigation and, where appropriate, recommendations regarding corrective action to be taken against the accused party or parties.
5. The investigative officer will submit to the agency head or designee the written report and also notify the complainant of his/her findings.
6. Upon completion of any follow-up as considered necessary, the agency head will render a final decision regarding the complaint and specify disciplinary action(s), if any, that is (are) to be taken.
7. Documentation pertaining to the complaint and investigation will be maintained by the agency in a separate investigative file.

3. **Corrective Action.** If, upon investigation, an allegation of work place harassment is found to be substantiated, then the agency head will take appropriate corrective action against the employee(s) found responsible for such work place harassment. This corrective action may consist of verbal counseling of the employee(s) responsible for the work place harassment or may consist of disciplinary action imposed pursuant to Title 273, Chapter 13 of the *State Classified System Personnel Rules and Regulations*. If the complainant so requests, then a statement of the findings of fact and corrective action taken will be provided to the complainant.

Rights of Complainants. Any complainant will have the following rights:

1. In the event any employee of this agency, or any recipient of services provided by this agency, believes he/she has been or is being subjected to work place harassment, that party will have the right to report such alleged work place harassment to the agency for purposes of prompt investigation and appropriate action.
2. Any employee or recipient of services who believes that he/she is being subjected to work place harassment is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop.
3. If the aggrieved person does not wish to communicate directly with the offending person or persons, or if direct communication has been ineffective, then the aggrieved person is encouraged to immediately report the alleged work place harassment to his/her supervisor, to the agency head or to the officer within the agency designated to receive complaints of work place harassment.
4. In reporting allegations of work place harassment, complainants should take care to state specific facts including, wherever practical: 1) the identity of the person or persons who committed such work place harassment, 2) what was done or said, and 3) the identity of any witnesses who were present.
5. Any aggrieved person who is uncertain how to report complaints of alleged work place harassment or would like to request assistance to report compliance may contact the following:
 - State Affirmative Action Office (402) 471-3678
 - Commission on the Status of Women (402) 471-2039
 - Nebraska Equal Opportunity Commission (402) 471-2024
 - State Ombudsman (402) 471-2035
6. An employee of the agency will be designated as an investigative officer to investigate the complainant's allegation of work place harassment. Upon completion of the investigation, the investigative officer will prepare a written report stating the findings of the investigation and, where appropriate, make recommendations for specific corrective actions to be taken against the accused party or parties.
7. Upon completion of the written report, the investigative officer will consult with the complainant and review the findings and recommendations.
8. If the complainant so requests, a statement of findings of fact and corrective action taken will be provided to the complainant.
9. If the complainant is dissatisfied with the agency's action in response to a complaint of work place harassment, the complainant may contact the State Affirmative Action Office to request an independent investigation of the allegation of work place harassment.

The State's Affirmative Action Office can be reached by telephone at (402) 471-3678, email at croberso@notes.state.ne.us or by letter addressed to:

State of Nebraska – Affirmative Action Specialist
Department of Administrative Services – State Personnel
P.O. Box 94905
Lincoln, NE 68509-4905

10. Persons who wish to report allegations of work place harassment also have the right, at any time, to file a complaint of work place harassment with the Nebraska Equal Opportunity Commission (NEOC) and/or the Federal Equal Employment Opportunity Commission (EEOC).

There is, of course, nothing to prevent an employee from filing formal charges with the Nebraska Equal Opportunity Commission and/or the Federal Equal Employment Opportunity Commission while reporting the allegation of work place harassment within the agency at the same time.

11. Legally mandated filing period restrictions have been imposed for filing formal charges of work place harassment. The filing period with the Nebraska Equal Opportunity Commission is 300 days. The filing period with the Federal Equal Employment Opportunity Commission is 180 days or in some cases, 300 days. Therefore, it is recommended that any employee – who feels he/she has been harassed and who wishes to file such charges with the Nebraska Equal Opportunity Commission and/or the Federal Equal Employment Opportunity Commission – should take the necessary steps to file such charges as soon as possible.