

AFFIRMATIVE ACTION PLAN

April 1, 2005 through March 31, 2006



**NEBRASKA
DEPARTMENT OF REVENUE**

AGENCY 016

*Mary Jane Egr Edson,
State Tax Commissioner*

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SECTION I INTRODUCTION

The Affirmative Action Plan outlines the active steps the Nebraska Department of Revenue is taking to maintain our status of equal opportunity and to confirm our commitment to that goal.

As part of that commitment, the Department has issued three policies:

Affirmative Action/Equal Employment Opportunity (Revenue Policy No. 343),

Workplace and Sexual Harassment (Revenue Policy No. 321), and

Drug-Free Workplace (Revenue Policy No. 322).

Copies of these policies are included in the appendix. They are also in the Nebraska Department of Revenue Policy manual. Each Division has a copy of this manual which is available for any employee to view. Individual copies of any of these policies can be obtained from the Revenue Personnel Office, 301 Centennial Mall South, Lincoln, NE 68509.

The Department's Affirmative Action/EEO training activity for the year includes: EEO and Workplace Harassment orientation for all employees, and Affirmative Action Plan review for all Administrators.

SECTION II DISSEMINATION OF AFFIRMATIVE ACTION POLICY,
EQUAL EMPLOYMENT OPPORTUNITY POLICY,
AND AFFIRMATIVE ACTION PLAN

A. Employees

A copy of the state's policy and our policy will be posted on bulletin boards and the Revenue Employee Intranet site; a copy of our policy will be placed in all Revenue Policy books. New employees will be informed of our policy and plan during the Personnel Office orientation. Copies of the plan will be distributed to all Administrators electronically and will be available for review by employees electronically on the Intranet site.

B. Department Website

A description of our policy and plan with a statement reaffirming our commitment to equal employment opportunity and affirmative action will be included on our website.

C. Management

On an annual basis, the State Tax Commissioner, Directors, and Administrators will participate in a meeting to review our policy, discuss goals and objectives, and identify responsibilities for carrying out the plan.

D. Union Officials

Union officials will be informed of our Affirmative Action policy.

SECTION III AFFIRMATIVE ACTION PLAN RESPONSIBILITIES

A. The State Tax Commissioner

The State Tax Commissioner has ultimate responsibility for the development and implementation of the Equal Employment Opportunity Policy and Affirmative Action Plan.

B. The Personnel Manager

The Personnel Manager will function as the agency's Affirmative Action Officer. The Affirmative Action Officer will be responsible for developing, interpreting, and implementing the agency's plan. The specific responsibilities of the Affirmative Action Officer are described in the State's Affirmative Action Program Rules and Regulations.

C. Directors, Service Area Administrators, Managers, and Supervisors

The supervisory and management employees are responsible for performing their duties in a manner which eliminates discrimination by actively working toward the identification and elimination of discrimination where found in employment procedures and practices involving job design, recruiting, interviewing, hiring, and promotion.

D. Employees

Each employee, in cooperation with the Personnel Office, must strive to accomplish the goals and objectives of the Nebraska Department of Revenue Affirmative Action Plan.

COMPARATIVE ANALYSIS of Nebraska State Workforce by EEO-4 Category

A - EXECUTIVE/MANAGERIAL STATE EMPLOYEE WORK FORCE

Nebraska Labor Force	Nebraska Labor Force by Gender		State Totals As of March 2005			Agency Totals #	Agency Totals %	Underutilization		
			Male	WM=						
65.70%	WM=63.3%	Male	54.4%	WM=55.7%	618	25	83.33%	20	FALSE	
34.30%	WF=32.1%	Female	45.6%	WF=39.2%	518	5	16.67%	10	TRUE	
100.0%		Total	100.0%		1136	30	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	1	3.33%	1	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	1	3.33%	0	FALSE
4.4%	(F=.3%; M=.5%)	Total	3.87%	2.46%	1.41%	44	2	6.67%	1	FALSE

B - PROFESSIONAL STATE EMPLOYEE WORK FORCE

Nebraska Labor Force	Nebraska Labor Force by Gender		State Totals As of March 2005			Agency Totals #	Agency Totals %	Underutilization		
			Male	WM=						
42.80%	WM=39.3%	Male	41.7%	WM=39.9%	2956	102	48.11%	91	FALSE	
57.20%	WF=53.6%	Female	58.3%	WF=53.4%	4134	110	51.89%	121	TRUE	
100.0%		Total	100.0%		7090	212	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	4	1.89%	4	FALSE
1.70%	(F=1.0%; M=.7%)	Hispanic	2.30%	0.8%	1.5%	163	1	0.47%	4	TRUE
3.20%	(F=1.3%; M=1.8%)	Other	2.52%	1.2%	1.3%	179	13	6.13%	7	FALSE
7.0%	(F=2.5%; M=2.0%)	Total	7.45%	2.99%	4.46%	528	18	8.49%	15	FALSE

C - TECHNICAL STATE EMPLOYEE WORK FORCE

Nebraska Labor Force	Nebraska Labor Force by Gender		State Totals As of March 2005			Agency Totals #	Agency Totals %	Underutilization		
			Male	WM=						
62.80%	WM=60.0%	Male	74.3%	WM=73.1%	613	0	#DIV/0!	0	FALSE	
37.20%	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	FALSE
1.5%	(F=.2%; M=1.6%)	Hispanic	0.73%	0.6%	0.1%	6	0	#DIV/0!	0	FALSE
1.4%	(F=.1%; M=.9%)	Other	1.33%	0.8%	0.5%	11	0	#DIV/0!	0	FALSE
5.1%	(F=2.3%; M=2.8%)	Total	3.39%	2.55%	0.85%	28	0	#DIV/0!	0	FALSE

COMPARATIVE ANALYSIS of Nebraska State Workforce by EEO-4 Category

D - 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

E - PARA-PROFESSIONAL STATE EMPLOYEE WORK FORCE

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	5	20.83%	2	FALSE	
90.60%	WF=83.7%	Female	78.9%	WF=66.1%	1966	19	79.17%	22	TRUE	
100.0%		Total	100.0%		2491	24	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%	1	TRUE
2.2%	(F=1.9%; M=.3%)	Hispanic	3.61%	0.4%	3.2%	90	0	0.00%	1	TRUE
1.2%	(F=1.0%; M=.2%)	Other	1.65%	0.5%	1.1%	41	2	8.33%	0	FALSE
7.7%	(F=6.9%; M=.8%)	Total	8.71%	2.05%	6.66%	217	2	8.33%	2	FALSE

F - OFFICE/CLERICAL STATE EMPLOYEE WORK FORCE

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	17	19.32%	27	TRUE	
69.40%	WF=63.7%	Female	89.4%	WF=70.4%	1668	71	80.68%	61	FALSE	
100.0%		Total	100.0%		1865	88	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	1	1.14%	3	TRUE
2.70%	(F=1.8%; M=.9%)	Hispanic	2.90%	0.2%	2.7%	54	1	1.14%	2	TRUE
2.10%	(F=1.5%; M=.6%)	Other	3.00%	0.6%	2.4%	56	3	3.41%	2	FALSE
8.5%	(F=4.7%; M=1.6%)	Total	8.42%	1.13%	7.29%	157	5	5.68%	7	TRUE

COMPARATIVE ANALYSIS of Nebraska State Workforce by EEO-4 Category

G - SKILLED CRAFT WORKERS STATE EMPLOYEE WORK FORCE

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	50.00%	2	TRUE	
6.70%	WF=06.0%	Female	6.6%	WF=8.8%	33	1	50.00%	0	FALSE	
100.0%		Total	100.0%		500	2	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

H - 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	8	100.00%	5	FALSE	
43.60%	WF=36.9%	Female	31.4%	WF=29.5%	525	0	0.00%	3	TRUE	
100.0%		Total	100.0%		1672	8	100.00%			
	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	1	12.50%	0	FALSE
9.20%	F= 3.1%; M=6%	Hispanic	3.53%	2.0%	1.6%	59	1	12.50%	1	FALSE
3.60%	(F=1.8%; M=1.9%)	Other	1.26%	0.8%	0.4%	21	0	0.00%	0	FALSE
16.8%	(F=1.0%; M=1.1%)	Total	7.54%	4.61%	2.93%	126	2	25.00%	1	FALSE

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	158	43.41%	192	TRUE	
47.30%	WF=42.7%	Female	53.1%	WF=47.3%	9802	206	56.59%	172	FALSE	
100.0%		Total	100.0%		18449	364	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	7	1.92%	11	TRUE
4.40%	(F= 2.7%; M=1.7%)	Hispanic	2.45%	0.9%	1.5%	450	3	0.82%	16	TRUE
2.60%	(F=1.4%; M=1.3%)	Other	1.66%	0.8%	0.8%	422	13	3.57%	9	FALSE
10.1%	(F=3.2%; M=3.2%)	Total	6.86%	3.04%	3.82%	1379	23	6.32%	37	TRUE

EEO Category	Underutilized Group
A - Executive/Managerial (Officials and Administrators)	Females
B - Professional	Females, Hispanics
C - Technical (Technicians)	No employees in this category.
D - Protective Services	No employees in this category.
E - Para-Professional	Females, African-Americans, Hispanics
F - Office/Clerical (Administrative Support)	All Minorities
G - Skilled Craft	No conclusions can be drawn from such a small sample.
H - Service/Maintenance	No conclusions can be drawn from such a small sample.

SECTION V PLAN ANALYSIS

The following goals were set in the 2003-04 fiscal year plan. The goals were established by job category. The following is a review of the results.

Executive/Managerial (A)

A. Attempt to recruit qualified female candidates for this category by July 2004.

Results: There were no openings to recruit for in this category.

Five (5) women were promoted from the Professional category (2003-2004) as a result of the flattening of the Audit Service Area management staff. These women were given additional/supervisory duties and salary increases in becoming Revenue Audit Managers.

Twenty (20) female employees were promoted within the Professional category in order to be better prepared to advance into leadership roles in the Executive/Managerial category.

Professional (B)

B. Attempt to recruit qualified female candidates for this category by July 2004.

C. Attempt to recruit qualified African-American and Hispanic candidates for this category by July 2004.

D. Attempt to develop qualified female employees for promotion into Professional positions.

Results: 2003-2004 Of 13 new hires in the year...

8 were women, 1 was African American, and 1 was Hispanic.
4 female employees were also promoted into Professional positions.

2004-2005 Of 12 new hires in the year...

9 were women, and 1 was African American.
3 female employees were also promoted into Professional positions.

Para-professional (E)

E. Attempt to recruit qualified female candidates for this category by July 2004.

F. Attempt to recruit qualified African-American and Hispanic candidates for this category by July 2004.

G. Attempt to develop qualified female employees for promotion into Para-professional positions.

Results: 2003-2004 Of 3 new hires in the year...

3 were women.

2004-2005 Of 6 new hires in the year...

5 were women.
1 female employee was promoted into a Para-professional position.
9 women were promoted in 2 years within the Admin./Support category.

SECTION V PLAN ANALYSIS (continued)

Clerical / Administrative Support (F)

H. Attempt to recruit qualified African-American candidates for this category by July 2004.

Results: 2003-2004 Of 15 new hires in the year...

0 were African-American.

2004-2005 Of 9 new hires in the year...

0 were African-American.

Service / Maintenance (H)

I. Attempt to recruit qualified female candidates for this category by July 2004.

Results: One employee was hired during this time period. No females were hired in this category.

Agency

J. Attempt to recruit qualified, fluent Spanish-speaking candidates by July 2004.

Results: 1 male, bilingual employee was hired during the 2003-2004 time period in the Scottsbluff Taxpayers' Assistance office.

SECTION VI GOALS AND TIMETABLES

The action plans set out in this section are based on the underutilization of protected class individuals. Over the two previous years, the Department has averaged hiring 30 employees a year to maintain our staff due to turnover. We anticipate hiring 50 employees this fiscal year due to legislation that authorized the Department to increase staff to meet new work challenges.

Executive / Managerial (A)

Females are underutilized in this category.

One new Audit Manager will be added to our staff during this fiscal year. We anticipate that this position will be filled by someone currently on our Audit staff.

Action Plan

- ❖ Revenue Personnel staff will recruit female candidates for this position by contacting our current female Auditor Seniors and encouraging them to apply by the end of the fiscal year.
- ❖ Revenue Personnel staff will participate in the selection process to ensure that selection criteria are based on business necessity. If we have more than one finalist of comparable qualifications, an offer will be made first to a female candidate.

Professional (B)

Females and Hispanics are underutilized in this category.

Fifteen new professional positions will be added to our staff during this fiscal year. We anticipate that ten of these positions will be filled with external candidates and five will be filled with internal promotions.

Action Plan

Internal:

- ❖ Revenue Personnel staff will recruit female and Hispanic candidates by contacting our current qualified female and Hispanic employees and encouraging them to apply each time a vacancy arises.
- ❖ Revenue Personnel staff will participate in the selection process to ensure that selection criteria are based on business necessity. If we have more than one finalist of comparable qualifications, an offer will be made first to a Hispanic female candidate.

External:

- ❖ Recruitment will be conducted at college campuses throughout Nebraska by Revenue Personnel staff or staff from the Service Area by the November 2005.
- ❖ Revenue Personnel staff will distribute job postings statewide for each recruitment effort.
- ❖ Revenue Personnel staff will participate in the selection process to ensure that selection criteria are based on business necessity. If we have more than one finalist of comparable qualifications, an offer will be made first to a Hispanic female candidate.

SECTION VI GOALS AND TIMETABLES (continued)

Para-professional (E)

Females, African-Americans, and Hispanics are underutilized in this category.

No new positions are planned for this category. Positions in this category generally require Department of Revenue experience. Candidates are recruited from our Administrative Support/Clerical category.

Action Plan

- ❖ Revenue Personnel staff will recruit identified protected class candidates for this position by contacting our current female, African-American and Hispanic staff and encouraging them to apply each time a vacancy arises.
- ❖ Revenue Personnel staff will participate in the selection process to ensure that selection criteria are based on business necessity. If we have more than one finalist of comparable qualifications, an offer will be made first to candidates in the identified protected classes.

Administrative Support / Clerical (F)

African-Americans and Total Minorities are underutilized in this category.

No new positions are planned for this category.

Action Plan

- ❖ Revenue Personnel staff will participate in the selection process to ensure that selection criteria are based on business necessity. If we have more than one finalist of comparable qualifications, an offer will be made first to candidates in the identified protected classes..

Agency-Wide

Total minorities are underrepresented in the agency.

Action Plan

- ❖ Each time a vacancy arises in a regional office that does not have a Bilingual-speaking employee, the Agency will advertise for the position indicating a preference will be given to Bilingual applicants.

SECTION VII

DISCRIMINATION SUITS

NEOC and EEOC charges and resolutions for
July 2003 through June 2005

Individual A

A complaint was filed with NEOC February 8, 2005.

The claim of Discrimination was filed on the basis of race/color and disability in violation of the Nebraska Fair Employment Practice Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964.

This case is pending the assignment of an NEOC Investigator.

SECTION VIII MINORITY BUSINESS ENTERPRISES /
DISADVANTAGED BUSINESS ENTERPRISES /
WOMEN BUSINESS ENTERPRISES
CONTRACTS

Innovative Incentives –
Female-owned promotional/advertising company.
Purchased goods.

SECTION IX DISABLED / HANDICAPPED ACTIVITIES

We continue to provide interpreters for hearing impaired and deaf employees for group meetings and, when agreed to, training, counseling, and interviews.

The Department works with individual employees and their physicians to develop reasonable accommodations for the work place.

We also continue our partnership with the Nebraska Commission for the Blind and Visually Impaired to accommodate our visually impaired employees, especially one in the Department's Special Services service area. Putting in place accessible software and hardware applications has made this arrangement successful. Other agencies have also requested more information about this type of arrangement and a "tour" of our setup in the process of considering such an arrangement themselves.

We also continue to work with Vocational Rehabilitation to provide On-the-Job-Training during our temporary tax season for their clients. We have also hired Vocational Rehabilitation clients as permanent employees through this process.

SECTION X TEMPORARY EMPLOYEES

The Nebraska Department of Revenue uses temporary employees during the individual income tax season. This season runs from approximately January through May of each year. Individuals hired as temporaries are all assigned to an Office Clerk I Trainee, Office Clerk I, Office Clerk III or Data Entry Operator classification, depending on their duties.

Temporary employees are not eligible to apply for internally posted positions while they are employed with our agency.

The numbers below represent the temporary staffing for the last two (2) tax processing seasons (January to June, 2004 AND January to June, 2005).

YEAR	MALE	FEMALE	TOTAL
2004	20 (23%)	68 (77%)	88
2005	22 (26%)	63 (74%)	85

YEAR	AFRICAN AMERICAN	HISPANIC	ASIAN	ALASKAN NATIVE	% MINORITY
2004	9 (10%)	0	6 (7%)	3 (3%)	21 %
2005	1 (1%)	2 (2%)	1 (1%)	1 (1%)	6%