



CIVIL SERVICE COMMISSION

HUMAN RESOURCES DEPARTMENT

MEMORANDUM

TO: The Honorable Mary Ann Borgeson
Chair, Douglas County Commissioners

FROM: Karen A. Buche, Clerk of the Commission/Human Resources Director *Kab*

DATE: August 2, 2016

SUBJECT: 2015 Annual Report: EEO Training and Employment-related Claims

The Civil Service/Human Resources Department provides this report annually as required by Board Resolution. This report provides information regarding Title VII training courses completed in 2015 as well as the number of employment-related Title VII claims, lawsuits, and/or settlements. The data regarding the claims and lawsuits was provided by the Civil Division of the Douglas County Attorney's Office.

Newly hired Civil Service employees receive two (2) hours of training specific to equal employment opportunities and diversity at New Employee Orientation. Additionally, employees' participate in online eLearning through SkillSoft Corporation, the County's vendor. Title VII training courses are assigned periodically on topics such as sexual harassment, workplace diversity, inclusion, promoting respect, etc. Employees access these courses via their workplace computer. Those employees without regular computer access are able to complete the courses at shared computers within their departments and/or Civil Service/Human Resources locations.

EEO/DIVERSITY TRAINING PROGRAMS

During 2015, the following programs were provided to employees:

- New Employee Orientation Courses: *267 employees attended*
- SkillSoft Courses: *1,123 employees participated with 1,792 courses completed*
 - Course offering:
 - A Manager's Guide to Diversity, Inclusion, and Accommodation
 - Dealing with Sexual Harassment
 - EEO and Lawful Hiring
 - Employee Sexual Harassment Awareness
 - Harassment Prevention
 - Managing Sexual Harassment Problems
 - Managing Workplace Harassment Complaints
 - Preventing Harassment
 - Promoting Respect
 - Sexual Harassment Prevention
 - Workplace Diversity Awareness
 - Workplace Harassment
- Refer to the attached 2015 Training Report for participation information



**1,390 employees
participated in
training in 2015,
(65% of County
workforce)**

**2,059 courses
completed in 2015**

EEOC & NEOC RELATED CHARGES/LAWSUITS FILED IN 2014, 2015 AND 2016

The County Attorney's Civil Division Office tracks and provides the following information regarding the status of Title VII or other employment law claims filed against Douglas County by employees through the Nebraska Equal Opportunity Commission (NEOC), the Equal Employment Opportunity Commission (EEOC), as well as lawsuits.

2014 Claims

9 claims were filed

- 6 cases resulted with "No Reasonable Cause" finding.
- In 1 case, EEOC issued "No Finding" followed by an NEOC "No Reasonable Cause" determination.
- In another case, a non-monetary settlement was reached in April 2015.

2016 Claims

3 claims filed to-date

- All 3 cases are still under investigation with the NEOC.

2015 Claims

6 claims were filed

- 5 cases determined as "No Reasonable Cause"
- 2 cases were resolved under settlement negotiations;
 - *The County and another agency agreed to settle for \$67-\$68,000 with each paying half.*
 - *The second case was settled with a change in policy. The NEOC will monitor the claim for one (1) year to ensure policy changes are implemented prior to issuing a final determination.*
- One case resulted in an Administrative Dismissal by the NEOC. Subsequently charges were filed with a Complaint against the County in District Court where it is currently in active litigation discovery.
- Another case is still under investigation by the NEOC.

Employment-related Lawsuits 2014 to August 2016

There were two (2) lawsuits filed against Douglas County with the District Court.

- ❖ One filed in 2014 after the NEOC determination of "No Reasonable Cause". The lawsuit was settled in 2015 for \$38,000.
- ❖ The other case followed the NEOC's 2015 action of an Administrative Dismissal. A Complaint was filed where it is still in litigation (also referenced under the 2015 claims).

Office/Agency Claims 2014 through August 2016

Claims	Number
Assessor/ROD	2
Corrections	3
Extension	1
Health Center	11
Purchasing	1
Sheriff	2
Total	20

10 Year Historical Trend

Year	# of Claims
2007	17
2008	12
2009	25
2010	9
2011	13
2012	7
2013	12
2014	9
2015	6
2016	3

CONCLUSION:

Calendar year 2015 resulted in the second highest number of SkillSoft courses completed for EEO training in any calendar year. There is an overall downward trend of claims. We hope it is due to the training of managers and employees. It is important to continue these efforts, so as to avoid a reversal of this trend. One hurdle remains; many of the offices/agencies have difficulty carving out time to permit employees to complete online training and/or attend classroom training due to staff shortages. This is a continuing and ongoing challenge for them.

Thank you, Commissioners, for your investment in our employees, your dedication toward the pursuit of their equal employment opportunities, as well as your continued support of the further development of a work culture which values respect and diversity.

Please feel free to contact me regarding this report or any other employee-related matter.

cc: Theresia Urich, Deputy County Attorney, Chief of the Civil Division
 Denise Lickei, Chair, Douglas County Civil Service Commission
 Members of the Douglas County Civil Service Commission
 Patrick Bloomingdale, Chief Administrative Officer
 Diane Carlson, Assistant Chief Administrative Officer
 Tim McNally, Deputy Director Human Resources
 Carol Donnelly, Employee Development and Relations Coordinator