



EQUAL EMPLOYMENT OPPORTUNITY PLAN
June 2012

INTRODUCTION

The Utah State Courts has developed an Equal Employment Opportunity (EEO) Plan to assure full utilization of all human resources and to maximize fair and effective staffing practices. The Equal Employment Opportunity Plan provides the Utah State Courts with the mechanism to critically examine its human resource practices to assure that policies and procedures provide fair and equitable treatment in all aspects of the employment process. The EEO Plan provides for the following:

- a statistical profile of the internal workforce including statistical disparities
- identification of problems in employment policies, procedures, and practices
- specification of corrective action
- dissemination of information, posters, notices, etc. relative to EEO
- prevention and resolution of discrimination and discrimination complaints

As a recipient of federal grants totaling \$25,000 or more, the Utah State Courts are required to have an Equal Employment Opportunity Plan. The plan complies with the provisions established in 28 CFR Ch.1, (7/1/91 edition) Subpart E, "Equal Opportunity Program Guidelines."

EEO PROGRAM OFFICIALS

Daniel J. Becker, State Court Administrator, has overall responsibility for the EEO Plan. In accordance with the Utah State Courts Human Resources Policies and Procedures, employees alleging discrimination may file through the grievance process outlined in the Grievance and Appeal policy, 620.01, or may submit a claim directly to management, the Director of Human Resources or the State Court Administrator.

Mr. Becker has designated Robert A. Parkes, Director of Human Resources, as the Utah State Courts EEO Officer. As the designee, Mr. Parkes has responsibility for the following:

1. Investigating and responding to complaints of discrimination and unfair treatment;
2. Developing policy statements for review and approval of the State Court Administrator;
3. Preparing written programs designed to institute and maintain equal employment opportunity within the Utah State Courts;
4. Disseminating EEO policy information both internally and externally;
5. Overseeing the collection and analysis of employment data to identify problem areas;

6. Delegating EEO responsibilities to Human Resources staff members and other appropriate personnel.

Ms. Cheryl Breneman, Sr. Human Resources Representative, has been designated as Assistant EEO Officer and will assist Mr. Parkes in the performance of many of the above duties.

ORGANIZATION

The State of Utah is comprised of eight judicial districts while the court system itself is divided into four levels: two trial court levels and two appeals court levels. The activities of the Utah State Court System are directed by the Utah Judicial Council of which the State Court Administrator is the secretariat. The State Court Administrator, assisted by court administrators and executives, Human Resources, Media Relations, Planning, Research, Finance, Information Technology, Information Services, Judicial Education, and General Counsel, is responsible for administration, development, and coordination of non-judicial activities in the state court system.

DISSEMINATION OF THE POLICY

The Utah State Courts Equal Employment Opportunity policies are disseminated both internally and externally.

These policies and the EEO Plan shall be made available to the public and to Utah State Courts applicants and employees upon request. Employees shall be notified that the EEO Plan is available for their perusal via the State Courts Website. All recruitment announcements shall identify the Courts as an Equal Opportunity Employer. Written notification of the Courts' EEO program shall be sent to all recruiting resources as well as colleges and universities. EEO policies are included in the Courts' Human Resources Policies and Procedures Manual and, therefore, available to all State Court employees.

**UTAH STATE COURTS
EQUAL EMPLOYMENT OPPORTUNITY PROGRAM
POLICY STATEMENT**

In accordance with 28CFR Ch. 1, Subpart E, and all relevant federal laws, rules and regulations, and in adherence with the Governor's Executive Order, the Utah State Courts hereby affirms its intent to ensure fair and equitable employment practices.

It is the policy of the Utah State Courts to ensure that all applicants for employment as well as all employees will be treated impartially without regard to race, color, religion, sex, age, disability, national origin, political affiliation, ancestry, or marital status.

The Utah State Courts hereby establishes an Equal Employment Opportunity Program within the Court system. At a minimum, it is the goal of the Courts to select qualified applicants from all minority, female, and other protected groups and to achieve and maintain a work force diversity in all applicable job classifications that reasonably approximates the relevant Utah civilian labor force figures published by the Department of Economic Security.

Specifically, the Utah State Courts promotes and assures equality of opportunity for all applicants and employees with respect to all employment policies, practices, and procedures including but not limited to: recruitment, selection, promotion, transfer, training, benefits, scheduling, discipline and reduction-in-force. In addition, the Courts will adhere to the Utah Anti-Discrimination Act of 1965, as amended, to ensure that contractors, sub-contractors and vendors comply accordingly. Failure to comply with the nondiscrimination provisions of the Equal Employment Opportunity Plan will jeopardize initial, continued or renewed funding to the contractor, sub-contractor, or vendor.

Compliance with this policy is the responsibility of all employees of the Utah State Courts and, where applicable, vigorous enforcement efforts will be implemented by the State Court Administrator to ensure success of the program. If you have questions with regard to this program, please do not hesitate to bring them to our attention. Full cooperation from all departments and districts of the Utah State Courts employees with respect to the Equal Opportunity Program is expected.

Daniel J. Becker

State Court Administrator

June 2012

UTILIZATION ANALYSIS

The Utah State Courts utilization analysis table contains consolidated EEO information on a statewide basis. The data in this section of the analysis is grouped by EEO category and compared to the community labor force data for the State of Utah as a whole since there are court sites throughout the state.

Officials and Administrators

This group contains 202 employees and encompasses job classifications such as court administrators, department managers, trial court executives, clerical management staff, and probation management staff. Approximately 73% of this group is female and 10% are minorities. There is underutilization evident within this job among all minorities with the exception of Black or African American.

Professionals

The Utah State Courts employs 353 professional employees. Included in this job group are classifications such as attorneys, law clerks, project coordinators, budget and finance officers, human resources analysts, auditors, mediators, purchasing agents, probation officers, and commissioners.

Female representation in this group has remained stable at 52%, as has total minority representation at 15%, with underutilization evident among Asian, American Indian/Alaskan Native and Hispanic.

Paraprofessionals

The 324 employee in this group include job classifications such as judicial assistants, support services coordinators, and training coordinators. Females comprise 94%, while a minority representation of 13% is a slight increase. Under utilization in this group is evident among all minorities with the exception of Asian.

Clerical

Included in this job group are 214 employee in job classifications such as judicial service representatives, administrative assistants, legal secretaries, and deputy probation officers. Females comprise 83% of this group, and there is a minority representation of 8%. Under utilization in this group is evident in all areas.

PROBLEM AREAS AND CORRECTIVE ACTION PLANS

Recruitment and Selection

While the data reflects that progress has been made, the Courts must maintain ongoing efforts to continue ensuring an adequate pool from which to draw applicants by recruiting qualified minorities from the community to fill positions as they become available.

To this end, all public openings are advertised online via both the Court's website as well as the State of Utah job site. Additional recruiting strategies include attending job fairs and sending job postings appropriate state agencies including Workforce Services, college and university placement centers, local newspapers in more rural areas of the state, and, where appropriate, with professional organizations. These efforts appear to be generating sufficient numbers of qualified female and minority applicants in most job groups. Overall, the representation of female and minority employees in the Utah State Courts is above the statewide availability of qualified females and minorities.

When recruiting efforts have yielded success in hiring qualified minorities, taking steps to retain them is critical. Therefore, maintaining a strong pool of internal minority employees for promotional opportunities is an ongoing goal for the Courts. In an effort to remain successful in this area the Courts are working system wide to increase employee satisfaction and reduce turnover. This has included increasing training among supervisory and management staff, and by administering a biennial employee satisfaction survey.

Human Resources and Employment Policies and Practices

The Courts review its human resources and employment policies and practices on a regular basis to assure that they are applied in a nondiscriminatory manner. Salary administration and compensation practices as well as benefits programs have been reviewed to assure consistency of application throughout the organization. All promotion opportunities, training programs, and social activities are available to all employees without regard for race, color, religion, national origin, sex, age, marital status, veteran status, or disability.

Because of a significantly upgraded human resources information system, the court system is now able to track personnel actions to assist in determining if Human Resources policies are having an adverse impact on any particular protected group.

Recruiting and Hiring

The Courts have taken steps to enhance current minority recruiting efforts and work with minority communities to attract a larger pool of qualified applicants. This includes the development of guidelines to assist districts in expanding current recruiting efforts into nontraditional areas and enhance upward mobility opportunities for current minority staff members.

- The utilization of alternative sources of minority employment candidates, particularly in rural areas, such as churches, ethnic community organizations and specialized service providers.
- Expand collaboration with the Department of Workforce Services, Office of Ethnic Affairs, local schools, and other organizations to better publicize employment opportunities within the Courts.

- The Courts have an active Judicial Outreach committee that utilizes a variety of formats to expose an array of different communities throughout the state to the judicial process. This includes judges speaking in schools or court employees being part of community forms designed to make the courts increasingly understandable and accessible.

In the area of training, the Courts have revised and enhanced a cultural diversity training program that focuses on cultural competency, awareness and sensitivity as a core career track educational requirement. The Courts also have a management training program which includes a class focused on workforce management and recruitment to better prepare district management to meet the needs of changing workforce.

Workforce Analysis Table

		MALE					
Job Category	Total (Male and Female Combined)	Asian	Native Hawaiian	American Indian/AK Native	Black or African American	Hispanic Origin	White
Officials/ Administrators	202	2	0	0	4	1	46
	100.0%	1.0%	0.0%	0.0%	2.0%	0.5%	22.8%
Professionals	353	0	7	0	6	12	138
	100.0%	0.0%	2.0%	0.0%	1.7%	3.4%	39.1%
Paraprofessional	324	0	0	0	1	1	15
	100.0%	0.0%	0.0%	0.0%	0.3%	0.3%	4.6%
Clerical	214	1	0	0	0	6	29
	100.0%	0.5%	0.0%	0.0%	0.0%	2.8%	13.6%

		FEMALE					
Job Category	Total (Male and Female Combined)	Asian	Native Hawaiian	American Indian/AK Native	Black or African American	Hispanic Origin	White
Officials/ Administrators	202	1	0	1	1	10	136
	100.0%	0.5%	0.0%	0.5%	0.5%	5.0%	67.3%
Professionals	353	6	0	4	2	16	162
	100.0%	1.7%	0.0%	1.1%	0.6%	4.5%	45.9%
Paraprofessional	324	10	0	1	2	13	281
	100.0%	3.1%	0.0%	0.3%	0.6%	4.0%	86.7%
Clerical	214	5	1	0	1	11	160
	100.0%	2.3%	0.5%	0.0%	0.5%	5.1%	74.8%

Utilization Analysis Table

Job Category	Total	Asian	Native Hawaiian	American Indian/AK Native	Black or African American	Hispanic Origin	White
Officials/Administrators	202	3	0	1	5	11	182
	100.0%	1.5%	0.0%	0.5%	2.5%	5.4%	90.1%
Professionals	353	6	7	4	8	28	300
	100.0%	1.7%	2.0%	1.1%	2.3%	7.9%	85.0%
Paraprofessionals	324	10	0	1	3	14	296
	100.0%	3.1%	0.0%	0.3%	0.9%	4.3%	91.4%
Clerical	214	6	1	0	1	17	189
	100.0%	2.8%	0.5%	0.0%	0.5%	7.9%	88.3%
Job Category		Asian	Native Hawaiian	American Indian/AK Native	Black or African American	Hispanic Origin	White
Officials/Administrators	Workforce	1.5%	0.0%	0.5%	2.5%	5.4%	90.1%
	CLS	2.9%	1.1%	1.4%	1.2%	12.5%	80.9%
	Utilization	-1.4%	-1.1%	-0.9%	1.3%	-7.1%	9.2%
Professionals	Workforce	1.7%	2.0%	1.1%	2.3%	7.9%	85.0%
	CLS	2.9%	1.1%	1.4%	1.2%	12.5%	80.9%
	Utilization	-1.2%	0.9%	-0.3%	1.1%	-4.6%	4.1%
Paraprofessionals	Workforce	3.1%	0.0%	0.3%	0.9%	4.4%	91.3%
	CLS	2.9%	1.1%	1.4%	1.2%	12.5%	80.9%
	Utilization	0.2%	-1.1%	-1.1%	-0.3%	-8.1%	10.4%
Clerical	Workforce	2.8%	0.5%	0.0%	0.5%	7.9%	88.3%
	CLS	2.9%	1.1%	1.4%	1.2%	12.5%	80.9%
	Utilization	-0.1%	-0.6%	-1.4%	-0.7%	-4.6%	7.4%