

# EEOP Short Form



Wed Nov 30 16:51:55 EST 2011

## Step 1: Introductory Information

|                           |                                                       |                         |                 |
|---------------------------|-------------------------------------------------------|-------------------------|-----------------|
| <b>Grant Title:</b>       | Wrongful Conviction Unit Project                      | <b>Grant Number:</b>    | 2009-FA-BX-0037 |
| <b>Grantee Name:</b>      | Committee for Public Counsel Services                 | <b>Award Amount:</b>    | \$561,304.00    |
| <b>Grantee Type:</b>      | State Government Agency                               |                         |                 |
| <b>Address:</b>           | 44 Bromfield Street<br>Boston, Massachusetts<br>02108 |                         |                 |
| <b>Contact Person:</b>    | Nancy Bennett                                         | <b>Telephone #:</b>     | 617-988-8428    |
| <b>Contact Address:</b>   | 44 Bromfield Street<br>Boston, Massachusetts<br>02108 |                         |                 |
| <b>DOJ Grant Manager:</b> | Kerri Vitalo Logan                                    | <b>DOJ Telephone #:</b> | 202-353-9074    |

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### Policy Statement:

The Committee for Public Counsel Services (Committee) is committed to equal employment opportunity for all employees and applicants for employment without regard to race, color, sex, religion, national origin, age, sexual orientation, disability, veteran status, or on any other basis as prohibited by Massachusetts General Laws, Chapter 151B, Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, the Equal Employment Opportunity Act of 1972, the Americans with Disabilities Act of 1990, and the Family and Medical Leave Act of 1993, or any other applicable state and federal laws. It is the policy of the Committee to promote and maintain a work environment that fosters diversity and is free of discrimination in all aspects of the employment relationship, including but not limited to, the following:

- initial consideration for employment;
- job placement or position, transfer, and assignment of responsibilities;
- promotion and advancement;
- compensation, salary increases, and benefits;
- access to training and other professional development opportunities;
- evaluation of performance;
- discipline and termination;
- access to facilities and services; and
- formulation and application of personnel policies and procedures.

All employees are expected to support the principle of, and contribute to the realization of, equal employment opportunity. Where evidence of discrimination is found, the Committee will take prompt and effective actions to remedy the situation. The implementation of this policy should not be construed as preventing, limiting, or delaying the Committee from taking disciplinary action, including immediate termination, in circumstances where the Committee deems such action appropriate.

## Step 4b: Narrative Underutilization Analysis

In each of the four categories in which it has employees, the Committee for Public Counsel Services workforce has a smaller percentage of white males than the relevant Massachusetts labor market. While not statistically significant, we have underutilization in several other areas.

In the officials and administrators category the underutilization of minorities in several categories is small: -1% to -2%; also white males are represented at a smaller percentage than the relevant labor market (-16%) which is less representation by 2% than two years ago. For criminal trial offices, we generally fill positions in this category from our current staff; therefore the challenge we face is retaining and developing employees, particularly attorney staff (professionals category) with sufficient time in job to fill these roles.

In the professional category, there is underutilization in the Asian male category (-2%). White males are represented at a lower rate than the labor market (-9%).

In the protective services (investigators) category, there is underutilization in Black/African American males category (-6%), as well as for Asian males (-1%), males of two or more races (-1%) and white males (-32%).

In administrative support, Asian (-1%) males and white (-26%) males are underrepresented.

Overall, the underutilization that exists is small in many categories listed above (-1% to -2%). The only categories with more significant underutilization are Black/African American males in protective services (-6%); white males are represented at a smaller percentage than the relevant labor market in all four categories. The underrepresentation of white males has increased slightly in the past two years for officials and administrators, professionals, and administrative support.

## Step 5 & 6: Objectives and Steps

**1. CPCS will continue to advocate for increased funding so that we can adjust our pay scale and compensate staff comparably to other state employees. Our objective is to reach pay parity and to ensure that we are competitive in attracting a diverse pool of qualified candidates and retaining experienced staff in all job categories.**

- a. In each budget submission, continue to include and to request amount of increased funding needed to achieve salaries that are equitable to other state employees.
- b. Educate Committee members and others to develop allies to support CPCS's effort to obtain increased funding for staff salaries.
- c. Contact legislators and other state officials to ensure that they are aware of pay disparity between CPCS's wage scale and other groups, such as unionized staff in other Massachusetts state agencies, in public defender salaries in other states, and similar professional publicly-funded organizations.
- d. Compile statistical and anecdotal information during the course of exit interviews regarding the relationship between low pay and resignation from CPCS. Identify any other reasons for resignation that correlate with underrepresentation of identified groups.
- e. Gather information regarding applicants and potential applicants who chose not to apply or accept CPCS positions due to our low pay.
- f. Ensure that our attorneys and social workers are aware of loan forgiveness programs so that we are able to retain more of the minority group members who we work hard to recruit. Designate staff to communicate information about student loan forgiveness program(s) available as a result of the College Cost Reduction and Access Act. Ensure that information about such loan forgiveness programs is made available in new attorney training, attorney conferences, and social worker events.
- g. Advocate for continuation of funding for Federal John R. Justice Grant Program which awards loan forgiveness grants to attorneys.

**2. CPCS will continue to evaluate recruitment and hiring practices to re-affirm that all applicants receive fair and equal opportunities. We will further expand our outreach efforts to increase the diversity of our applicant pool, particularly with respect to gender diversity.**

- a. Provide support and resources to ensure success of newly hired Legal Hiring Coordinator to enable her to enhance outreach and to develop partnerships with law schools, minority law student associations, minority bar associations, and local bar associations.
- b. Expand list of organizations established to assist minority groups in employment opportunities, and develop working relationships with these organizations. Post and advertise open positions to these groups. Communicate via lists serves, e-mailings, and social media.
- c. Expand job postings of investigator positions beyond the state web-site. Ensure that Chief Investigator reaches out to strengthen diversity of investigator applicant pool to increase both racial and gender diversity representation.

**3. The agency will continue to work with current minority staff to identify barriers to longer service with the agency. Because most of our staff are attorneys, we will pay particular attention to assessing how we can better retain attorneys of color as well as increase gender diversity. Promotional opportunities in our agency are most frequently found in attorney positions, therefore we will evaluate our promotion practices to ensure that attorneys in under-represented groups are receiving equal opportunity to advance and we will eliminate any barriers we find. Our goal is to ensure that we have attorney staff with sufficient time in job and depth and range of experience so that they can be considered for promotional opportunities.**

- a. Enhance communication by senior managers with staff to identify ways to improve recruitment, retention, and the working environment.
- b. Provide support and resources to the newly formed Diversity and Inclusion Group to ensure its success.
- c. Encourage and facilitate dialogue with attorneys concerned with the issue of race and gender equity.
- d. Increase opportunities for training and development of staff, with the goal of ensuring that staff in under-represented groups are better prepared to take on roles with greater responsibility, particularly in supervision and management.
- e. In exit interviews, continue to spot trends and to identify ways to address job-related reasons for staff resignations.
- f. Expand recently created public defender mentoring program to other legal practice areas in the agency.

### **Step 7a: Internal Dissemination**

- CPCS's Human Resources (HR) unit will post a PDF of the EEOP Short Form on its internal website (intranet).
- In orientation packets given to new employees, a statement will be included that the EEOP is available on the agency's intranet.
- For current employees, a notice will be sent out stating that the EEOP Short Form is available on the intranet.
- The EEOP will be sent to all staff offices, with instructions to post on internal bulletin board(s).

### **Step 7b: External Dissemination**

- Continue to include a statement on all job postings confirming that CPCS is an Equal Opportunity Employer. Include notice that applicants may obtain a copy of the EEOP Short Form by contacting the Human Resources Unit.
- Notify recruitment sources that CPCS has developed an EEOP Short Form and that it is available on request for review.
- On the agency's internet website, a statement will be posted with instructions for receiving a copy of the EEOP Short Form.

**Utilization Analysis Chart**  
**Relevant Labor Market: Massachusetts**

| Job Categories                        | Male        |                    |                           |                                  |           |                                           |                   | Female      |                    |                           |                                  |           |                                           |                   |
|---------------------------------------|-------------|--------------------|---------------------------|----------------------------------|-----------|-------------------------------------------|-------------------|-------------|--------------------|---------------------------|----------------------------------|-----------|-------------------------------------------|-------------------|
|                                       | White       | Hispanic or Latino | Black or African American | American Indian or Alaska Native | Asian     | Native Hawaiian or Other Pacific Islander | Two or More Races | White       | Hispanic or Latino | Black or African American | American Indian or Alaska Native | Asian     | Native Hawaiian or Other Pacific Islander | Two or More Races |
| <b>Officials/Administrators</b>       |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| Workforce #/%                         | 32/39%      | 0/0%               | 1/1%                      | 0/0%                             | 0/0%      | 0/0%                                      | 0/0%              | 48/58%      | 0/0%               | 1/1%                      | 0/0%                             | 0/0%      | 0/0%                                      | 1/1%              |
| CLS #/%                               | 280,720/55% | 6,180/1%           | 6,975/1%                  | 405/0%                           | 8,700/2%  | 35/0%                                     | 2,695/1%          | 184,830/36% | 6,330/1%           | 7,805/2%                  | 285/0%                           | 5,610/1%  | 60/0%                                     | 1,665/0%          |
| Utilization #/%                       | -16%        | -1%                | -0%                       | -0%                              | -2%       | -0%                                       | -1%               | 22%         | -1%                | -0%                       | -0%                              | -1%       | -0%                                       | 1%                |
| <b>Professionals</b>                  |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| Workforce #/%                         | 117/31%     | 5/1%               | 10/3%                     | 0/0%                             | 6/2%      | 0/0%                                      | 5/1%              | 190/50%     | 13/3%              | 12/3%                     | 0/0%                             | 12/3%     | 0/0%                                      | 7/2%              |
| CLS #/%                               | 315,765/40% | 9,090/1%           | 11,450/1%                 | 420/0%                           | 25,065/3% | 65/0%                                     | 3,655/0%          | 370,840/47% | 12,935/2%          | 14,965/2%                 | 480/0%                           | 18,335/2% | 100/0%                                    | 3,895/0%          |
| Utilization #/%                       | -9%         | 0%                 | 1%                        | -0%                              | -2%       | -0%                                       | 1%                | 3%          | 2%                 | 1%                        | -0%                              | 1%        | -0%                                       | 1%                |
| <b>Technicians</b>                    |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| Workforce #/%                         | 0/          | 0/                 | 0/                        | 0/                               | 0/        | 0/                                        | 0/                | 0/          | 0/                 | 0/                        | 0/                               | 0/        | 0/                                        | 0/                |
| CLS #/%                               | 27,635/35%  | 1,255/2%           | 1,390/2%                  | 30/0%                            | 1,975/3%  | 10/0%                                     | 325/0%            | 39,140/50%  | 1,340/2%           | 2,215/3%                  | 70/0%                            | 2,160/3%  | 20/0%                                     | 750/1%            |
| Utilization #/%                       |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| <b>Protective Services: Sworn</b>     |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| Workforce #/%                         | 17/52%      | 5/15%              | 0/0%                      | 1/3%                             | 0/0%      | 0/0%                                      | 0/0%              | 7/21%       | 1/3%               | 2/6%                      | 0/0%                             | 0/0%      | 0/0%                                      | 0/0%              |
| CLS #/%                               | 46,835/75%  | 2,425/4%           | 3,830/6%                  | 130/0%                           | 390/1%    | 4/0%                                      | 805/1%            | 5,765/9%    | 665/1%             | 1,020/2%                  | 10/0%                            | 155/0%    | 4/0%                                      | 215/0%            |
| Utilization #/%                       | -24%        | 11%                | -6%                       | 3%                               | -1%       | -0%                                       | -1%               | 12%         | 2%                 | 4%                        | -0%                              | -0%       | -0%                                       | -0%               |
| <b>Protective Services: Non-sworn</b> |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| Workforce #/%                         | 0/          | 0/                 | 0/                        | 0/                               | 0/        | 0/                                        | 0/                | 0/          | 0/                 | 0/                        | 0/                               | 0/        | 0/                                        | 0/                |
| Civilian Labor Force #/%              | 1,820/33%   | 55/1%              | 70/1%                     | 15/0%                            | 25/0%     | 0/0%                                      | 110/2%            | 2,950/54%   | 90/2%              | 205/4%                    | 10/0%                            | 15/0%     | 0/0%                                      | 135/2%            |
| Utilization #/%                       |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| <b>Administrative Support</b>         |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| Workforce #/%                         | 2/2%        | 1/1%               | 3/3%                      | 0/0%                             | 0/0%      | 0/0%                                      | 0/0%              | 57/64%      | 11/12%             | 12/13%                    | 0/0%                             | 2/2%      | 0/0%                                      | 1/1%              |
| CLS #/%                               | 229,810/29% | 12,490/2%          | 12,245/2%                 | 365/0%                           | 7,110/1%  | 70/0%                                     | 3,620/0%          | 468,760/58% | 24,560/3%          | 24,250/3%                 | 760/0%                           | 13,685/2% | 200/0%                                    | 7,515/1%          |

| Job Categories             | Male        |                    |                           |                                  |           |                                           |                   | Female      |                    |                           |                                  |           |                                           |                   |
|----------------------------|-------------|--------------------|---------------------------|----------------------------------|-----------|-------------------------------------------|-------------------|-------------|--------------------|---------------------------|----------------------------------|-----------|-------------------------------------------|-------------------|
|                            | White       | Hispanic or Latino | Black or African American | American Indian or Alaska Native | Asian     | Native Hawaiian or Other Pacific Islander | Two or More Races | White       | Hispanic or Latino | Black or African American | American Indian or Alaska Native | Asian     | Native Hawaiian or Other Pacific Islander | Two or More Races |
| Utilization #/%            | -26%        | -0%                | 2%                        | -0%                              | -1%       | -0%                                       | -0%               | 6%          | 9%                 | 10%                       | -0%                              | 1%        | -0%                                       | 0%                |
| <b>Skilled Craft</b>       |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| Workforce #/%              | 0/          | 0/                 | 0/                        | 0/                               | 0/        | 0/                                        | 0/                | 0/          | 0/                 | 0/                        | 0/                               | 0/        | 0/                                        | 0/                |
| CLS #/%                    | 229,775/83% | 9,985/4%           | 7,140/3%                  | 535/0%                           | 4,510/2%  | 30/0%                                     | 4,680/2%          | 15,730/6%   | 1,925/1%           | 690/0%                    | 50/0%                            | 2,230/1%  | 0/0%                                      | 530/0%            |
| Utilization #/%            |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| <b>Service/Maintenance</b> |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |
| Workforce #/%              | 0/          | 0/                 | 0/                        | 0/                               | 0/        | 0/                                        | 0/                | 0/          | 0/                 | 0/                        | 0/                               | 0/        | 0/                                        | 0/                |
| CLS #/%                    | 321,885/43% | 42,555/6%          | 24,915/3%                 | 985/0%                           | 14,385/2% | 100/0%                                    | 12,800/2%         | 253,015/34% | 32,935/4%          | 21,280/3%                 | 910/0%                           | 12,960/2% | 120/0%                                    | 11,415/2%         |
| Utilization #/%            |             |                    |                           |                                  |           |                                           |                   |             |                    |                           |                                  |           |                                           |                   |

**Significant Underutilization Chart**

| Job Categories             | Male  |                    |                           |                                  |       |                                           |                   | Female |                    |                           |                                  |       |                                           |                   |
|----------------------------|-------|--------------------|---------------------------|----------------------------------|-------|-------------------------------------------|-------------------|--------|--------------------|---------------------------|----------------------------------|-------|-------------------------------------------|-------------------|
|                            | White | Hispanic or Latino | Black or African American | American Indian or Alaska Native | Asian | Native Hawaiian or Other Pacific Islander | Two or More Races | White  | Hispanic or Latino | Black or African American | American Indian or Alaska Native | Asian | Native Hawaiian or Other Pacific Islander | Two or More Races |
| Officials/Administrators   | ✓     |                    |                           |                                  |       |                                           |                   |        |                    |                           |                                  |       |                                           |                   |
| Professionals              | ✓     |                    |                           |                                  |       |                                           |                   |        |                    |                           |                                  |       |                                           |                   |
| Protective Services: Sworn | ✓     |                    |                           |                                  |       |                                           |                   |        |                    |                           |                                  |       |                                           |                   |
| Administrative Support     | ✓     |                    |                           |                                  |       |                                           |                   |        |                    |                           |                                  |       |                                           |                   |

I understand the regulatory obligation under 28 C.F.R. 42.301-.308 to collect and maintain extensive employment data by race, national origin, and sex, even though our organization may not use all of this data in completing the EEOP Short Form.

I have reviewed the foregoing EEOP Short Form and certify the accuracy of the reported workforce data and our organization's employment policies.

[signature]

[title]

[date]