



Delaware Department of Agriculture (DDA)

FY22 EEO/AA Report and FY23 Action Plan

Fiscal Year 2022



DELAWARE DEPARTMENT OF
AGRICULTURE

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MEMORANDUM

TO: Claire DeMatteis
Cabinet Secretary, Department of Human Resources

FROM: Michael T. Scuse 
Cabinet Secretary, Department of Agriculture

SUBJECT: Department of Agriculture
FY22 Equal Opportunity Employment/Affirmative Action Report
and FY 23 Action Plan

DATE: December 7, 2022

Attached is a copy of the Department of Agriculture's FY22 Equal Employment Opportunity/Affirmative Action Report and FY23 Action Plan submitted in accordance with *Executive Order No. 30, Delaware's Continuing Commitment to a Respectful Workplace*.

If you have any questions, please feel free to contact me at 302-698-4501 or Michael.Scuse@delaware.gov.

Thank you.

Enclosures

STATE OF DELAWARE
Department of Agriculture (DDA)
FY 2022/FY 2023 EEO REPORT AND ACTION PLAN



| RESPECTFUL WORKPLACE AND ANTI DISCRIMINATION POLICY ¹ Statewide | |
|--|---|
| DHR-Policy #: To be assigned. | Authority: 29 Del. C. Chapter 90D (as applicable); 19 Del. C. Chapters 711, 712, 716, 717 and 720 (as applicable); Merit Rule 2.1; Executive Order #30 |
| Effective Date: July 25, 2022. | Supersedes: June 24, 2019 Respectful Workplace and Anti-Discrimination Policy; June 2017 Policy on Anti-Discrimination, Workplace Harassment and Retaliation P17-001; Dec. 18, 2002 - Revised Oct. 2005 Policy on Sexual Harassment Prevention |
| Application: Executive Branch Agencies | Signature:  |

1. Policy Purpose Statement

The State of Delaware (State) strives to create and maintain a work environment where people are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the mission of the State. The work environment of the State is characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees must work and learn in a safe, respectful, and stimulating atmosphere. For that reason, the State will not tolerate unlawful discrimination or harassment of any kind. Managers and supervisors are responsible for fostering a workplace environment free of discrimination and harassment. Through enforcement of this policy and education of employees, the State seeks to prevent, correct, and discipline behavior that violates this policy.

All employees are covered by and are expected to comply with this policy and to take appropriate measures to assure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

2. Scope

This policy applies to all employees, and for this policy includes unpaid interns, joint employees, and apprentices, and includes workplace conduct by individuals such as outside vendors, contractors, consultants, customers, or constituents.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

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The terms of this policy supersede any Statewide or related Executive Branch Agency policy and procedure.

3. Definitions and Acronyms

- **Complainant** - An individual who makes a complaint and begins the complaint process.
- **Discrimination** - Unlawful discrimination is the unjust or prejudicial treatment of individuals, based on their membership in a protected class.
- **Equal Employment Opportunity (EEO) Officer** - A Department of Human Resources (DHR) employee designated to manage EEO responsibilities at an agency.
- **Harassment** - Unwelcome conduct that is based on an individual's [protected class](#). Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The behavior need not be intentional in order to be considered harassment.
- **Investigation Findings** - Complaint investigations will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. Substantiated means that the research and/or evidence through corroboration verifies the allegation. Partially substantiated means that the research and/or evidence through corroboration verifies some but not all the allegations asserted in the complaint. Unsubstantiated means that research and/or evidence failed to find sufficient evidence to support or verify the Complainant's claim.
- **Investigator** - A DHR employee or other designee assigned to begin an inquiry to determine whether there is a reasonable basis for moving forward with an investigation of the alleged violation of this policy and if so, to conduct an investigation.
- **Protected Class** - Protected classes under this policy are a person's race, protective hairstyle, color, national origin, gender, age, sex, creed, pregnancy, marital status, family responsibilities, sexual orientation, gender identity or expression, veteran's status, religion, genetic information, disability, status as a victim of domestic violence, sexual assault and/or stalking, or any other category protected by applicable State and/or federal laws.
- **Respondent** - The party against whom a complaint is made, and who is responsible for providing a response to the complaint under this policy.
- **Retaliation** - An act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against any individual(s) taken because that individual(s) has exercised rights under this policy, or State, or federal anti-discrimination laws, and that would reasonably discourage the individual from making a complaint.

- **Sexual Harassment** - Conduct defined in 19 Del. C. § 711A(c) which includes when an employee is subjected to unwelcome sexual advances, requests for favors, and/or other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made explicitly or implicitly a term or condition of employee's employment; 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or 3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

4. Policy

The State promotes a safe and respectful work environment in compliance with all applicable State and federal anti-discrimination and anti-harassment laws and regulations and enforces this policy in accordance with the following standards:

a. Discrimination

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's protected class.

b. Harassment

The State prohibits harassment of any kind and will take prompt and effective action in response to alleged violations of this policy. Unlawful harassment is when enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This conduct may result in a **hostile work environment**. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or third parties, including constituents and customers.

The following illustrations of harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal harassment** includes offensive or unwelcome comments regarding a person's membership in a protected class, including jokes, slurs, and negative stereotyping.
- **Nonverbal harassment** includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of membership in a protected class, including inappropriate staring, touching, hand gestures, posters, cartoons, and other nonverbal conduct.

c. Sexual Harassment

The State prohibits sexual harassment and will take prompt and effective action in response to alleged violations of this policy.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- is made explicitly or implicitly a term or condition of employment;
- is used as a basis for an employment decision; and/or
- unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Types of sexual harassment:

- **"Quid pro quo" harassment**, where submission to harassment is used as the basis for employment decisions. This can be providing employee benefits such as raises, promotions and/or better working hours directly linked to compliance with sexual advances. Examples: A supervisor promising an employee a raise if s/he goes on a date with her/him; a manager telling an employee s/he will fire her/him if s/he does not have sex with her/him.
- **"Hostile work environment,"** where the harassing conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or offensive. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or third parties, including constituents and customers. Hostile work environment harassment may include comments of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment may take different forms. The following illustrations of sexual harassment are intended to be examples and are not exhaustive when determining whether there has been a violation of this policy:

- **Verbal sexual harassment** includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibited form of harassment, including that which is sexual in nature and unwelcome.

- **Nonverbal sexual harassment** includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets, and internet postings; or other forms of communication that is sexual in nature and offensive.
- **Physical sexual harassment** includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and assault.

d. **Retaliation**

The State prohibits retaliation and will take prompt and effective action in response to alleged violations of this policy. No tangible hardship, loss, or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator of a complaint.

e. **Violation**

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but not be limited to, written reprimand, suspension, or termination of employment.

f. **EEO Officer**

DHR shall designate an employee to serve as the Agency's [EEO Officer](#).

5. Complaint Procedures

An employee may obtain information from their Supervisor, their Agency's Human Resources (HR) representative, Agency EEO officer, or the Labor Relations & Employment Practices (LREP) section representative at DHR about the filing of a discrimination or harassment complaint.

a. **Complaint Process**

The State will treat courteously any person who invokes this complaint procedure, and the State will handle all complaints swiftly and as confidentially as possible considering the need

to conduct a fair and thorough investigation. Filing a complaint in good faith will not be used against the employee or have an adverse impact on their employment status. An employee who is the recipient of unwelcome conduct should attempt to communicate to the offender their objection to the conduct whenever possible. If the employee is not comfortable addressing the conduct with the offender or if that has occurred and the conduct continues, an aggrieved employee is encouraged to report incidents of alleged harassment as soon as possible. Complaints are to be submitted individually by the employee alleging harassment or discrimination.² **The process in this Respectful Workplace Anti-Discrimination Policy shall not serve as an appeal following the disposition of an administrative decision (grievances pursuant to Merit Rules or a Collective Bargaining Agreement (CBA), discrimination charges filed at the Delaware Department of Labor (DDOL), or Equal Employment Opportunity Commission (EEOC)).** Filing a false or malicious complaint is an abuse of this policy and will be treated as a violation.

b. Confidentiality and Employee Assistance Program

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the Complainant will be protected to as great a degree as possible. The expressed wishes of the Complainant for confidentiality will be considered in the context of the State's legal obligation to act on allegations of discrimination, harassment, or retaliation, and the obligation to conduct a fair and thorough investigation. During the investigation and afterward, all parties, including witnesses when applicable, will be required to maintain strict confidentiality. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential.

The Employee Assistance Program (EAP) provides confidential counseling services to State employees enrolled in one of the State's health plans. Individuals wishing to discuss an incident confidentially or seeking information and/or advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to the State of a potential harassment or discrimination issue.

c. Complaint Procedure

The State has established the following procedure for filing a complaint of harassment, sexual harassment, discrimination, or retaliation (based on protected class). The State will treat all aspects of the procedure confidentially to the extent reasonably possible. Prompt reporting of complaints is encouraged, so that prompt response and appropriate action may be taken. If a supervisor or manager becomes aware of allegations of harassment or discrimination, from personal observation, as a result of a Complainant or another individual coming forward, the supervisor or manager shall discuss the concern or incident with the

² This policy does not contain provisions for group complaints.

employee and attempt to resolve the matter in consultation with Agency Labor Relations (LR) or HR representative.

- 1) An employee (Complainant) who believes they have been harassed, discriminated, or retaliated against may initiate the complaint process by filing a complaint in writing with any of the following:
 - Supervisor
 - Manager
 - Agency's Equal Employment Opportunity Officer
 - Agency's LR or HR representative
 - Labor Relations & Employment Practices section representative of the Department of Human Resources.

For this complaint procedure, the employee alleging workplace harassment, discrimination or retaliation is not required to file a complaint with the alleged offender.

- 2) Complainants making verbal complaints will be required to complete the Respectful Workplace and Anti-Discrimination Complaint Form (Complaint Form). To proceed with an inquiry into the complaint, the Complainant must submit a written and signed Complaint Form containing sufficient details to investigate whether a violation of this policy may have occurred. The Complainant may obtain the Complaint Form online or from their Agency LR or HR representative.
- 3) If a supervisor or manager becomes aware of allegations of harassment or discrimination, either from personal observation or as a result of a Complainant or other individual coming forward and attempts at resolving the matter with the employee are not successful, the supervisor or manager shall provide the employee with this policy and complaint form and also report allegation(s) in writing to their Agency's LR or HR representative as soon as reasonably possible.
- 4) Upon receiving a Complainant's written complaint or being advised by a supervisor or manager of an alleged violation of this policy, and no later than five (5) business days, their Agency's DHR representative must notify in writing the LREP section of DHR of the complaint and must consider any measures for the protection of the Complainant or alleged victim (i.e., transferring work location of the subject of the complaint, contacting law enforcement, etc.). If the complaint is received by LREP, they shall notify the DHR representative assigned to the Complainant's agency within five (5) business days.
- 5) Within five (5) business days of receiving the written complaint from a Complainant, LREP will review and act upon the complaint. If multiple process requests (complaints or grievances) are filed on the same issue, LREP may consolidate the submissions to address the issue more effectively and efficiently. An employee or other party will be assigned as an Investigator (hereinafter "Investigator") to begin an inquiry to determine

whether there is a reasonable basis for moving forward with an investigation of the alleged violation under this policy and, if so, to conduct the investigation. There may be circumstances when a complaint may be investigated under the [Standards of Conduct Policy](#). With harassment complaints involving an outside vendor, consultant, or similar independent contractor, the Investigator will notify the outside vendor, consultant, or similar independent contractor of the complaint, and the matter will be addressed jointly with the outside entity's employer. Harassment complaints involving a customer will be handled with the customer directly on a case-by-case basis.

- 6) During the investigation, the Investigator will interview the Complainant, the Respondent, and any witnesses; review relevant documents and other media; conduct other investigative actions to determine whether the alleged conduct occurred. Interviews may only be recorded with prior written consent of both the Investigator and the individual being interviewed or their representative. If either party refuses the recording, no participants will be allowed to record the interview or subsequent proceedings. The investigation will adhere to any relevant statute, Merit Rule, or CBA term.
- 7) If a harassment complaint involves an employee who has been charged with criminal misconduct, DHR is to conduct an investigation to determine whether the employee's conduct violated this or other State policy. The Investigator shall work with the Deputy Attorney General (DAG) assigned to the criminal complaint upon the initiation and throughout the progress of the administrative investigation. As the Investigator takes measures to coordinate with the DAG, it may cause the investigation to exceed the time limits imposed on such complaints.
- 8) State employees shall cooperate fully with any investigation covered under this policy. Failure to cooperate with investigations may result in disciplinary action.
- 9) As soon as reasonably possible but no longer than ninety (90) business days of receiving a complaint, the Investigator will conclude the investigation. The Investigator prepares a full written report (Report) that consists of their findings, conclusion, and recommendations. Based on the findings and criteria in this policy, the complaint investigation will result in one of the following conclusions: substantiated, partially substantiated, or unsubstantiated. If it is determined that a violation of this policy has occurred, the Investigator will work collaboratively with the Agency management representative to determine appropriate corrective action. Corrective action may include, but is not limited to, mandatory referral to EAP, additional training, and disciplinary action up to and including termination. If additional time is needed to complete the investigation, the Complainant and Respondent will be notified.
- 10) The designated Agency management representative shall review the report within five (5) business days and return to the Investigator who will then share the Report with the DHR Secretary or designee (LREP) for review and finalization.

- 11) If the investigation is unsubstantiated, or partially substantiated, or if it is determined that there has been no violation of this policy, the DHR representative or designated Agency management representative may still recommend action (e.g., additional training, voluntary EAP referral, etc.).
- 12) Within five (5) business days of the determination, the Investigator will meet with the Complainant and the Respondent separately and notify each of the investigative conclusion (whether it was substantiated, partially substantiated, or unsubstantiated).
- 13) Any corrective action is to be administered within thirty (30) business days of the latter of these meetings by the Respondent's supervisor/manager. If additional time is needed, the Complainant and Respondent will be notified.
- 14) Any disciplinary action(s) shall be processed in accordance with Merit Rules, relevant statutes, and/or CBAs, where applicable.
- 15) Filing a harassment complaint according to this policy will not extend the time frames prescribed by statute by which an employee may file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a Collective Bargaining Agreement (CBA), if applicable, or any court or regulatory body.

6. Exclusions or Exceptions

- a. The Legislative and Judicial Branches and Offices of Elected Officials are excluded but are encouraged to adopt this policy.
- b. If a complaint is filed against an employee in a law enforcement position whose classification is covered by the Law Enforcement Officers' Bill of Rights (LEOBR), agencies are to follow LEOBR investigative and other procedures, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- c. The Delaware Department of Correction maintains a separate investigative process conducted by ranking Correctional Officers at facilities, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- d. The Delaware Department of Safety and Homeland Security, Division of State Police maintains an investigative process conducted by the Office of Professional Regulation for employees in the Division of State Police, and Section 5.c. Complaint Procedure numbers 1) through 12) shall not apply.
- e. The State is not required to provide training under this subsection to applicants, independent contractors, or employees employed less than 6 months continuously.

7. Dissemination and Training

a. Dissemination

- 1) This policy shall be disseminated to all employees with acknowledgment of receipt within thirty (30) business days of the commencement of employment.
- 2) This policy shall be posted by each State agency on its premises where notices to employees and applicants for employment are customarily posted.
- 3) The DDOL Sexual Harassment Notice shall be distributed, physically or electronically, to all new employees at the commencement of employment.
- 4) Each Agency is to post the contact information of their designated EEO Officer.

b. Training

- 1) The State shall provide all employees interactive training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment and thereafter every two (2) years.

The State shall provide all supervisors (newly hired and promoted) additional interactive supervisory training to prevent sexual harassment and other forms of discrimination in this policy and procedures within one (1) year of commencement of employment in the position and thereafter every two (2) years.

- 2) Successful completion of this training shall be documented in the Delaware Learning Center.
- 3) Each Agency is responsible for their employees adhering to these requirements.
- 4) Each covered employee is responsible for attending required trainings within the designated time frame.

8. Data Reporting

All agencies are required to:

- keep records of complaints of harassment; and
- track and report to DHR annually discrimination and harassment complaints, with sexual harassment complaints, tracked separately.

9. Associated Policy/Regulations/Information

- a. The procedures under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a target of discrimination or harassment under State or federal law.
- b. Making a complaint according to this policy will not extend the time frames, prescribed by statute, by which any person must file a formal complaint through the Merit Rules, the DDOL's Office of Anti-Discrimination, the EEOC, a CBA, if applicable, or any court or regulatory body.
- c. The deadline for filing a charge with the DDOL or the EEOC under State and federal laws is three hundred (300) days from the date of the alleged discriminatory action.
- d. [Standards of Conduct Policy and Procedures](#)

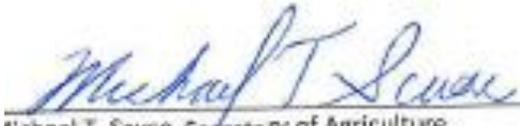
10. Appendices and Forms

- [Respectful Workplace and Anti-Discrimination Complaint Form](#)
- [Delaware Sexual Harassment Notice from Department of Labor](#)

11. Policy Owner

- **Division Name:** Division of Labor Relations and Employment Practices
- **Policy Administrator:** Director of the Division of Labor Relations and Employment Practices
- **Website:** <https://dhr.delaware.gov/labor/index.shtml>

This policy is not intended to create any individual right or cause of action not already existing and recognized under State or Federal law. If there is a conflict with, i.e., the law or regulation and this policy, the law and/or regulation govern.


Michael T. Scuse, Secretary of Agriculture


Date

STATE OF DELAWARE
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FY 2022/FY 2023 EEO REPORT AND ACTION PLAN

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SECTION I: POLICY STATEMENT

SEE THE STATE OF DELAWARE RESPECTFUL WORKPLACE AND ANTI-DISCRIMINATION POLICY

SECTION II: EXECUTIVE SUMMARY

SUMMARY STATEMENT:

The Department of Agriculture (DDA) experienced some significant personnel difficulties during FY22 and, unfortunately, these did impact our ability to work on personnel goals. The COVID pandemic was ongoing through the winter and the vaccination/testing requirements increased workloads for DDA HR staff. At the same time, DDA experienced extreme difficulty in hiring and then an emergency response effort to avian influenza.

Anecdotally, DDA initially seemed somewhat immune to the “great resignation” trend that swept U.S. employers. We believe we benefitted from a work environment that staff like to work in as well as being an agency that seeks to support industry (agriculture), and where many staff share that as a personal goal. However, rising wages outside of state employment as well as increased vacancies in state positions did provide opportunities for those looking to either increase their income or seek promotion to roles with more responsibility. Overall, our Time-to-Fill metric decreased, but that hides the fact that we were forced to repost positions repeatedly to collect enough candidates and often finished the interview process with no candidates that would accept the position. It was, frankly, demoralizing for HR and hiring managers. Finance and Meat Inspection were hit especially hard with over 60% vacancy for much of FY22, which is still not resolved.

In addition, high-path avian influenza – an extremely contagious and deadly chicken disease was discovered at farms in Delaware and Maryland (and many other U.S. locations) triggering a joint emergency response between DDA, Maryland Dept of Ag, and USDA starting in February 2022, the peak of our staffing difficulties, and had significant activity through June. This put extra and unprecedented strain on our staff as it pulled resources from across the agency into the response.

Despite these challenges, we’re encouraged to see some improvement in our EEO metrics and are hopeful that these challenges are fading into memory. Hiring is still difficult but feels like it’s improved from last winter. The initial avian influenza farms are returning to normal operation, though we fear a repeat during this fall/winter, we will at least be better prepared. This should allow us more time to dedicate to continued improvement.

Fiscal Year 22 was characterized by massive hiring difficulties not only at DDA but across state government as well as private industries. DDA had great difficulty finding applicants, especially qualified applicants, for nearly all vacancies. Some positions, especially entry-level, were very hard to fill and experienced extremely high turnover. Sadly, it was common to finish the interview process and repost when all offers were declined by applicants. Higher pay grade positions were not immune and were often extended and/or reposted multiple times.

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Despite these difficulties, DDA reduced the time-to-fill by 8 days. DDA also increased minority hires by three in the past year. DDA requested and received approval for a blanket starting salary and leveling-up for the hard-to-fill Meat Inspector I classification. DDA was also included in the blanket starting salary and leveling-up for the Environmental Health Specialist II classification. DDA was successful in reclassifying several Environmental Scientist positions to the III Level and worked with DHR/Talent Acquisition to revise locations on several job postings to eliminate confusion for applicants when applying for specific jobs. DDA used all platforms of social media (Twitter, Facebook, LinkedIn, Handshake, and Glassdoor) on job postings. DDA staff participated in the DHR Statewide Career Fair on May 11, 2022.

The Department of Agriculture is committed to ensuring all its employees receive equality of opportunity limited only by everyone's desire and ability. DDA provides a work environment that is diverse and free from discrimination. As an Equal Opportunity Employer, DDA does not discriminate on the basis of a person's race, color, national origin, gender, age, sex, pregnancy, marital status, sexual orientation, gender identity or expression, religion, creed, disability, or veteran's status, and victims of domestic violence, sexual assault and/or stalking, family responsibility, or any other category protected by state and/or federal civil rights laws. DDA complies with all applicable equal employment opportunity laws and regulations.

| DEPARTMENT SUMMARY | |
|---|-----------------------|
| Names of Divisions | # of Employees |
| Administration | 13 |
| Agricultural Compliance | 7 |
| Food Products Inspection | 20 |
| Forest Service | 19 |
| Harness Racing Commission & Standardbred Racing | 7 |
| Pesticide Compliance | 8 |
| Planning | 4 |
| Plant Industries | 12 |
| Poultry & Animal Health | 8 |
| Thoroughbred Racing Commission | 5 |
| Weights & Measures | 7 |
| Nutrient Management | 6 |
| Aglands Foundation | 2 |
| TOTALS | 118 |

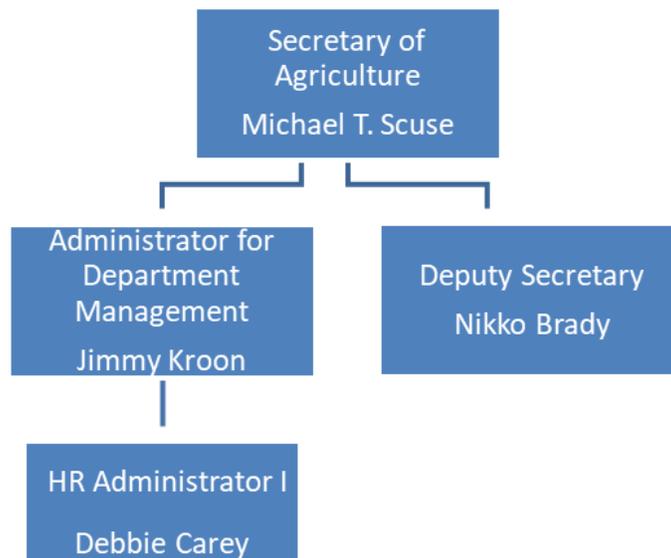
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Responsibilities for Implementation

RESPONSIBILITIES STATEMENT

The Secretary of Agriculture oversees the implementation of the Department’s Affirmative Action Plan to ensure that it is implemented promptly and effectively. The Human Resources Administrator I, Debbie Carey (302) 698-4510 or Debbie.Carey@delaware.gov implements the Affirmative Action Plan and ensures that managers follow federal and state laws, regulations, and executive orders. The Affirmative Action Officer’s duties and responsibilities include:

- Carry out all EEO/AA functions for the Department, including those duties and obligations described in Executive Order Number 30.
- Ensure that Affirmative Action efforts are included in the Performance Plans of managers and supervisors so they can be held accountable.
- Analyze statistical data to determine problem areas and Department needs for Affirmative Action and workforce diversity planning.
- Develop strategies and a plan of action to correct specific EEO problem areas within the Department.
- Assist managers in their understanding and compliance with EEO/AA.
- Investigate and facilitate the resolution of discrimination complaints.
- Meet with managers/supervisors to ensure compliance with the EEO/AA and fair employment practices.
- Review the process of selecting candidates for all positions to determine if artificial barriers prevent the advancement of women and minorities.
- Inform and update management on current developments in equal employment law.
- Promote equal opportunity for all employees in training and advancement.



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Section III: FY22 Accomplishments: July 1, 2021 - June 30, 2022

STRATEGIC PRIORITY (SP-1)

Workplace Environment, Climate, and Culture

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely.

| Strategic Priority | Objective | Measures of Success/Key Results | Responsible Group | Steps Taken | Status |
|---------------------------|---|--|----------------------------|---|---|
| SP-1 Goal 1 | No overall workplace environment/ climate issues are to be addressed. | Continue a positive work environment with zero complaints. | Administration Managers | Continue a workplace environment that results in overall employee satisfaction and retention. | DDA received no complaints in FY22. Turnover did increase for some positions, some dramatically, largely due to completion and rapid salary increases from competing employers and the slow rate at that a state government can respond to salary increases. |

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STRATEGIC PRIORITY (SP-2)

Management and Supervisory Effectiveness

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition.

| Strategic Priority | Objective | Measures of Success/Key Results | Responsible Group | Steps Taken | Status |
|---------------------------|--|--|--------------------------|--|--|
| SP-2 Goal 1 | Without a way to retain and transfer knowledge , we experience difficulties training new employees and providing consistent, top-quality service to customers. | Ensuring that key knowledge from departing employees is stored and shared with supervisors and managers. | Managers | <p>Created an onboarding / offboarding checklist for managers to increase consistency and a positive beginning for new hires.</p> <p>Multiple positions have drafted desk manuals to document common work tasks and job functions.</p> <p>Though we have discussed dual incumbency with DDA HR, most vacancies during FY22 were not retirements and we did not have enough notice to use this.</p> | DDA will continue working on knowledge transfer tools. |

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| Strategic Priority | Objective | Measures of Success/Key Results | Responsible Group | Steps Taken | Status |
|---------------------------|---|--|---|--|---|
| SP-2 Goal 2 | 18% (24 employees) are eligible to retire immediately and about 15% (31 employees) are eligible to retire within the next five years. | Determine at least the top three critical jobs that are on the retirement list and plan for transition 90 days prior to the retirement date. | DDA HR Hiring Managers Administration | DDA had many vacancies during FY22, usually due to promotions (internal and to other State agencies) and resignations rather than retirements. | DDA will continue to maintain awareness of employees and their retirement plans, to the best of our ability. Personnel and promotion rules always make planning for employee retirements difficult; retirement planning and knowledge transfer could be interpreted as favoring a particular staff member for promotion. |
| SP-2 Goal 3 | Need to reduce the number of days it takes to fill vacancies. | Faster time-to-fill rates along with other hiring metrics. | DDA HR Hiring Managers Administration | <p>Posted as expected vacancies prior to the last day of departing staff. Prioritized candidate review to provide certification lists ASAP after announcements closed.</p> <p>Continue to coach managers/supervisors to fill their vacancies in a reasonable time frame by reducing ‘dead time’ in the hiring process.</p> | <p>FY22 was characterized by massive hiring difficulties across state government as well as private industries. Unfortunately, DDA had great difficulty finding applicants, especially qualified applicants, for nearly all vacancies. Some positions, especially entry-level, were very hard to fill and experienced extremely high turnover. Sadly, it was common to finish interviews and repost when all offers were declined by applicants. Higher pay grade positions were not immune and were often extended and/or reposted multiple times.</p> <p>In spite of these difficulties, DDA reduced the time to fill by 8 days. Improvements were made in the time to create referral lists and for managers to interview and make offers.</p> |

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STRATEGIC PRIORITY (SP-3)

Recruitment and Retention

| Strategic Priority | Objective | Measures of Success/Key Results | Responsible Group | Steps Taken | Status |
|---------------------------|--|---|---|---|---|
| SP-3 Goal 1 | Salary continues to be a challenge as our pay is often lower than similar positions in other state agencies (as well as the private sector and federal government) and thus it will continue to be a greater challenge to retain good employees. | Work towards ensuring salaries are more in line with our competition such as other State Agencies and the Federal Government. | Administration / DDA HR / DHR | <p>Continue to work with DHR to review job specifications, salary, and career ladder series where applicable.</p> <p>Early in FY22, we were limited in having staff go out to visit public schools or universities to discuss career opportunities with students due to COVID-19.</p> <p>We did create custom graphics for social media posts about our open positions.</p> | <p>DDA was included in the blanket starting salary and leveling-up for the Investigator job series.</p> <p>DDA also requested and received approval for a blanket starting salary and leveling-up for Meat Inspector I.</p> |
| SP-3 Goal 2 | With limited personnel, it is difficult to attend job fairs and other events that may attract a diverse talent pool. | Ensuring there is a diverse pipeline for minorities and females as positions become vacant. | DDA HR / Administration/ DHR Talent Acquisition | <p>Work with DHR/Talent Acquisition to identify minority and female pipeline candidates.</p> <p>DDA staff participated in the DHR Statewide Career Fair on May 11, 2022.</p> | <p>As shown in Figs 19 & 20, DDA tended to hire female and minority candidates at higher rates than would be expected based on the applicant pools we received.</p> <p>49% of qualified applicants and 67% of new hires were female.</p> <p>29% of qualified applicants and 47% of new hires were minorities.</p> |

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SECTION IV: WORKFORCE ANALYSIS

DDA Workforce Analysis Overview:

The Department of Agriculture is underrepresented in five EEO-4 categories but only has 118 employees, so opportunities to change their demographics are limited. Minorities represent 15% of the DDA workforce, a 3% increase from FY21.

Below are observable trends that affect DDA's opportunity to increase diversity in its workforce:

1. Recruiting and retention have been extremely difficult for the Meat Inspector classification. This classification is designated as essential and requires specialized training in order to obtain the required federal license. It is difficult to compete with USDA which offers higher salaries.
2. Competition is high from other State Agencies and the Federal Government in the industry in which DDA functions.
3. Several Seasonal Agricultural Commodity Inspectors are on-call positions, which makes it difficult to attract applicants.
4. Weights and Measures and Conservation Technicians receive training from DDA to become CDL drivers. Such employees are then often promoted competitively to other agencies that hire CDL drivers, such as DELDOT and DNREC.
5. DDA employee satisfaction and retention levels are high. However, the high retention rate limits recruitment which provides opportunities to increase diversity. DDA's relatively small size in terms of personnel often limits internal promotional opportunities, especially considering the high employee retention rates. The most common explanation employees provide for leaving is a lack of promotional opportunities.
6. DDA requires managers to participate in D&I-related training every year.
7. With limited personnel, it is difficult for DDA to attend job fairs and other events that would attract a diverse talent pool. However, DDA staff participated in the DHR Statewide Career Fair on May 11, 2022.
8. DDA does work with Smyrna High School's Agricultural program, but they need to expand this outreach to more diverse schools, so students gain interest in the field. They are looking to partner with DSU to help their students with capstone projects, but again they have limited staff.

In summary, DDA succeeds in creating a work environment that results in overall employee satisfaction and retention. However, DDA's resources are limited, and they must find ways to attract diverse talent pools to their positions as vacancies occur. Partnering with Delaware State University and the High School Pathways programs to offer internship/job shadowing opportunities could help to expose students to their work. DDA's workforce planning, and subsequent recruitment efforts, should be broad in scope but focus on positions with high turnover such as Meat Inspectors, Weights and Measures, and Conservation Technicians.

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DDA Demographics at a Glance:

The total number of DDA employees as of June 30, 2022, in the EEO-4 category is 118.

The DDA EEO-4 workforce demographic data reflect the race/ethnicity and gender representation of the DDA workforce based on the total number of employees within the eight EEO-4 categories. Analyses are made comparing DDA workforce demographics to the available Delaware regional labor market statistics by race/ethnicity, and gender. DDA does not hire in the Para-Professional and Service Maintenance EEO-4 categories.

The following summary of findings were derived from this data:

Minority Representation:

- Minorities represent 15% of the total DDA workforce, a 3% increase from FY21.
- Minorities are under-represented in the following EEO-4 categories:
 - Officials & Administrators (-10%)
 - Professional (-20%)
 - Technicians (-13%)
 - Office & Clerical (-19%)
 - Skilled Craft (-26%)

Female Representation:

- Females represent 53% of the total DDA workforce, a 2% decrease from FY21.
- Females are under-represented in the following EEO-4 categories:
 - Officials & Administrators (-2%)
 - Professional (-1%)
 - Technicians (-4%)
 - Skilled Craft (-6%)

Male Representation:

- Males represent 47% of the DDA workforce, a 2% increase from FY21.
- Males are under-represented in the following EEO-4 categories:
 - Protective Services (-21%)
 - Office & Clerical (-29%)

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EEO-4 Status Report FY 2022
(Without Casual/Seasonal)

Table 1

| EEO-4 CATEGORY | MALE | | | | | | | | | | FEMALE | | | | | | | | | | TOTALS | | |
|------------------------------|-----------|----------|---------------------|----------|---------------------|--------------------|-----------------|----------------|---------------------------|-------------------|-----------|----------|---------------------|----------|---------------------|--------------------|-----------------|------------------|---------------------------|---------------------|-----------------------------------|------------------------------------|------------------------------|
| | White | Black | Hispanic/ Latino | Asian | Pacific Islander | American Indian | Multi Racial | Total Males | % of Category Total | Disabled Males | White | Black | Hispanic/ Latino | Asian | Pacific Islander | American Indian | Multi Racial | Total Females | % of Category Total | Disabled Females | Total Employees by Category | Total Minorities by Category | Minority % of Category |
| 1 Officials & Administrators | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | 57% | 0 | 4 | 0 | 1 | 0 | 0 | 0 | 1 | 6 | 43% | 0 | 14 | 2 | 14% |
| 2 Professionals | 19 | 0 | 1 | 0 | 0 | 0 | 0 | 20 | 43% | 1 | 24 | 1 | 0 | 1 | 0 | 0 | 1 | 27 | 57% | 0 | 47 | 4 | 9% |
| 3 Technicians | 13 | 2 | 0 | 0 | 0 | 0 | 0 | 15 | 54% | 0 | 8 | 2 | 1 | 2 | 0 | 0 | 0 | 13 | 46% | 0 | 28 | 7 | 25% |
| 4 Protective Services | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 3 | 60% | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 40% | 0 | 5 | 3 | 60% |
| 5 Para Professional | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0% | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00% | 0 | 0 | 0 | 0.00% |
| 6 Office & Clerical | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 6% | 0 | 13 | 1 | 0 | 0 | 0 | 1 | 0 | 15 | 94% | 0 | 16 | 2 | 13% |
| 7 Skilled Craft | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | 100% | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00% | 0 | 8 | 0 | 0% |
| 8 Service Maintenance | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0% | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00% | 0 | 0 | 0 | 0.00% |
| Totals | 49 | 4 | 2 | 0 | 0 | 0 | 0 | 55 | 47% | 1 | 51 | 4 | 2 | 3 | 0 | 1 | 2 | 63 | 53% | 0 | 118 | 18 | 15% |

Table 1 illustrates the total FY 22 workforce demographics by race/ethnicity and gender. This is an overview of the entire EEO-4 Workforce by EEO-4 job category.

Table 1 data were obtained from the PHRST system as of 06/30/2022.

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Minority Labor Market Representation FY2022
(Including Race and Ethnicity)

Table 2

| EEO-4 CATEGORY | Labor Market % | Minority % of Category | Minority Variance to Labor Market | Comparison to Minority % of Category | | | | | |
|------------------------------|----------------|------------------------|-----------------------------------|--------------------------------------|-----------------|-------|------------------|-----------------|--------------|
| | | | | Black | Hispanic/Latino | Asian | Pacific Islander | American Indian | Multi Racial |
| 1 Officials & Administrators | 25% | 14% | -10% | 0% | 7% | 0% | 0% | 0% | 7% |
| 2 Professionals | 29% | 9% | -20% | 2% | 2% | 2% | 0% | 0% | 2% |
| 3 Technicians | 38% | 25% | -13% | 14% | 4% | 7% | 0% | 0% | 0% |
| 4 Protective Services | 37% | 60% | 23% | 40% | 20% | 0% | 0% | 0% | 0% |
| 5 Para Professional | 34% | 0% | NA | 0% | 0% | 0% | 0% | 0% | 0% |
| 6 Office & Clerical | 31% | 13% | -19% | 6% | 0% | 0% | 0% | 6% | 0% |
| 7 Skilled Craft | 26% | 0% | -26% | 0% | 0% | 0% | 0% | 0% | 0% |
| 8 Service Maintenance | 45% | 0% | NA | 0% | 0% | 0% | 0% | 0% | 0% |

Female Labor Market Representation FY2022
(Including Race and Ethnicity)

Table 3

| EEO-4 CATEGORY | Labor Market % | Female % of Category | Female Variance to Labor Market | Comparison to Minority % of Category | | | | | | |
|------------------------------|----------------|----------------------|---------------------------------|--------------------------------------|-------|-----------------|-------|------------------|-----------------|--------------|
| | | | | White | Black | Hispanic/Latino | Asian | Pacific Islander | American Indian | Multi Racial |
| 1 Officials & Administrators | 45% | 43% | -2% | 29% | 0% | 7% | 0% | 0% | 0% | 7% |
| 2 Professionals | 59% | 57% | -1% | 51% | 2% | 0% | 2% | 0% | 0% | 2% |
| 3 Technicians | 50% | 46% | -4% | 29% | 7% | 4% | 7% | 0% | 0% | 0% |
| 4 Protective Services | 19% | 40% | 21% | 40% | 0% | 0% | 0% | 0% | 0% | 0% |
| 5 Para Professional | 77% | 0% | NA | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| 6 Office & Clerical | 65% | 94% | 29% | 81% | 6% | 0% | 0% | 0% | 6% | 0% |
| 7 Skilled Craft | 6% | 0% | -6% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| 8 Service Maintenance | 44% | 0% | NA | 0% | 0% | 0% | 0% | 0% | 0% | 0% |

Male Labor Market Representation FY2022
(Including Race and Ethnicity)

Table 4

| EEO-4 CATEGORY | Labor Market % | Male % of Category | Male Variance to Labor Market | Comparison to Minority % of Category | | | | | | |
|------------------------------|----------------|--------------------|-------------------------------|--------------------------------------|-------|-----------------|-------|------------------|-----------------|--------------|
| | | | | White | Black | Hispanic/Latino | Asian | Pacific Islander | American Indian | Multi Racial |
| 1 Officials & Administrators | 55% | 57% | 2% | 57% | 0% | 0% | 0% | 0% | 0% | 0% |
| 2 Professionals | 41% | 43% | 1% | 40% | 0% | 2% | 0% | 0% | 0% | 0% |
| 3 Technicians | 50% | 54% | 4% | 46% | 7% | 0% | 0% | 0% | 0% | 0% |
| 4 Protective Services | 81% | 60% | -21% | 0% | 40% | 20% | 0% | 0% | 0% | 0% |
| 5 Para Professional | 23% | 0% | NA | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| 6 Office & Clerical | 35% | 6% | -29% | 6% | 0% | 0% | 0% | 0% | 0% | 0% |
| 7 Skilled Craft | 94% | 100% | 6% | 100% | 0% | 0% | 0% | 0% | 0% | 0% |
| 8 Service Maintenance | 56% | 0% | NA | 0% | 0% | 0% | 0% | 0% | 0% | 0% |

Tables 2, 3, and 4 illustrate the variance between the Regional Labor Market and agency demographics. Also illustrated is a percentage breakdown of demographic representation by race/ethnicity, gender, and EEO-4 job category.

Tables 2, 3, and 4 data were obtained from the PHRST system as of 06/30/2022.

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Minority Representation Trends FY20, 21, 22

Table 5

| EEO-4 CATEGORY | FY20 Minority Variance of Labor Market | FY21 Minority Variance of Labor Market | FY22 Minority Variance of Labor Market |
|------------------------------|--|--|--|
| 1 Officials & Administrators | -20% | -25% | -10% |
| 2 Professionals | -13% | -19% | -20% |
| 3 Technicians | -14% | -24% | -13% |
| 4 Protective Services | 4% | 13% | 23% |
| 5 Paraprofessional | NA | NA | 0% |
| 6 Office & Clerical | -3% | -9% | -19% |
| 7 Skilled Craft | -22% | -26% | -26% |
| 8 Service Maintenance | NA | NA | 0% |

Female Representation Trends FY20, 21, 22

Table 6

| EEO-4 CATEGORY | FY20 Female Variance of Labor Market | FY21 Female Variance of Labor Market | FY22 Female Variance of Labor Market |
|------------------------------|--|--|--|
| 1 Officials & Administrators | -8% | -9% | -2% |
| 2 Professionals | 5% | 3% | -1% |
| 3 Technicians | -8% | -5% | -4% |
| 4 Protective Services | 40% | 31% | 21% |
| 5 Paraprofessional | NA | NA | 0% |
| 6 Office & Clerical | 29% | 30% | 29% |
| 7 Skilled Craft | -4% | -6% | -6% |
| 8 Service Maintenance | NA | NA | 0% |

Male Representation Trends FY20, 21, 22

Table 7

| EEO-4 CATEGORY | FY20 Male Variance of Labor Market | FY21 Male Variance of Labor Market | FY22 Male Variance of Labor Market |
|------------------------------|--|--|--|
| 1 Officials & Administrators | 8% | 9% | 2% |
| 2 Professionals | -5% | -3% | 1% |
| 3 Technicians | 8% | 5% | 4% |
| 4 Protective Services | -40% | -31% | -21% |
| 5 Paraprofessional | NA | NA | 0% |
| 6 Office & Clerical | -29% | -30% | -29% |
| 7 Skilled Craft | 4% | 6% | 6% |
| 8 Service Maintenance | NA | NA | 0% |

Tables 5, 6, and 7 illustrate trends for the past three fiscal years by comparing the variance between the Regional Labor Market and Executive Branch demographics for minorities, females, and male employees by EEO-4 job category.

Tables 5, 6, and 7 data were obtained from the PHRST system as of 06/30/2022.

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SECTION V: COMPLAINTS

DDA HAD ZERO COMPLAINTS IN FY22

Table 8 illustrates total complaints by gender, race/ethnicity, employment status, category, type, status, and resolution.

Table 8 data were obtained from agency internal records during FY22.

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SECTION VI: EMPLOYEE ACTIONS

Table 9

| TYPE | 2021 | | 2022 | | PERCENT CHANGE |
|---------------------------------------|-----------|-------------|-----------|-------------|----------------|
| | Total | Percent | Total | Percent | |
| DISCIPLINES | | | | | |
| Total Female Non-Minority Disciplines | 0 | 0% | 0 | 0% | 0% |
| Total Female Minority Disciplines | 0 | 0% | 1 | 100% | 100% |
| Total Male Non-Minority Disciplines | 1 | 100% | 0 | 0% | -100% |
| Total Male Minority Disciplines | 0 | 0% | 0 | 0% | 0% |
| Total Disciplines | 1 | 100% | 1 | 100% | 0% |
| SEPARATIONS | | | | | |
| Total Female Non-Minority Separations | 0 | 0% | 12 | 48% | 100% |
| Total Female Minority Separations | 13 | 68% | 3 | 12% | -77% |
| Total Male Non-Minority Separations | 5 | 26% | 9 | 36% | 44% |
| Total Male Minority Separations | 1 | 5% | 1 | 4% | 0% |
| Total Separations | 19 | 100% | 25 | 100% | 24% |
| NEW HIRES | | | | | |
| Total Female Non-Minority New Hires | 10 | 63% | 8 | 40% | -20% |
| Total Female Minority New Hires | 1 | 6% | 3 | 15% | 67% |
| Total Male Non-Minority New Hires | 4 | 25% | 7 | 35% | 43% |
| Total Male Minority New Hires | 1 | 6% | 2 | 10% | 50% |
| Total New Hires | 16 | 100% | 20 | 100% | 20% |
| PROMOTIONS | | | | | |
| Total Female Non-Minority Promotions | 5 | 45% | 4 | 33% | -20% |
| Total Female Minority Promotions | 1 | 9% | 2 | 17% | 50% |
| Total Male Non-Minority Promotions | 5 | 45% | 4 | 33% | -20% |
| Total Male Minority New Hires | 0 | 0% | 2 | 17% | 100% |
| Total Promotions | 11 | 100% | 12 | 100% | 9% |

Table 9 displays the total number of disciplines, separations, new hires, and promotions by gender and minority status.

Table 9 data were obtained from the PHRST system as of 06/30/2022.

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SECTION VII: EMPLOYEE ENGAGEMENT

Figure 10 Training by Gender

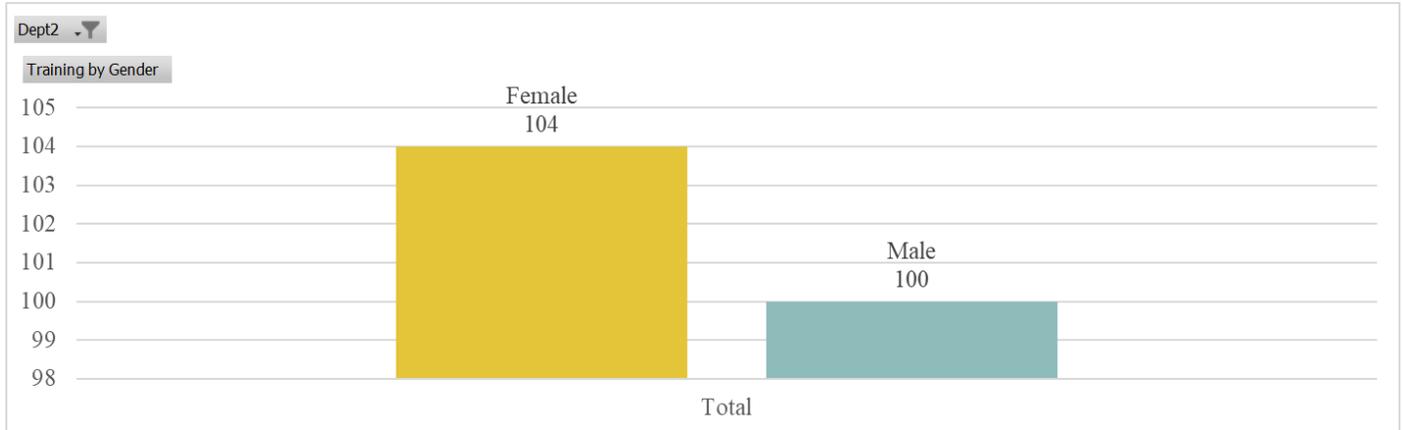


Figure 11 Training by Race/Ethnicity

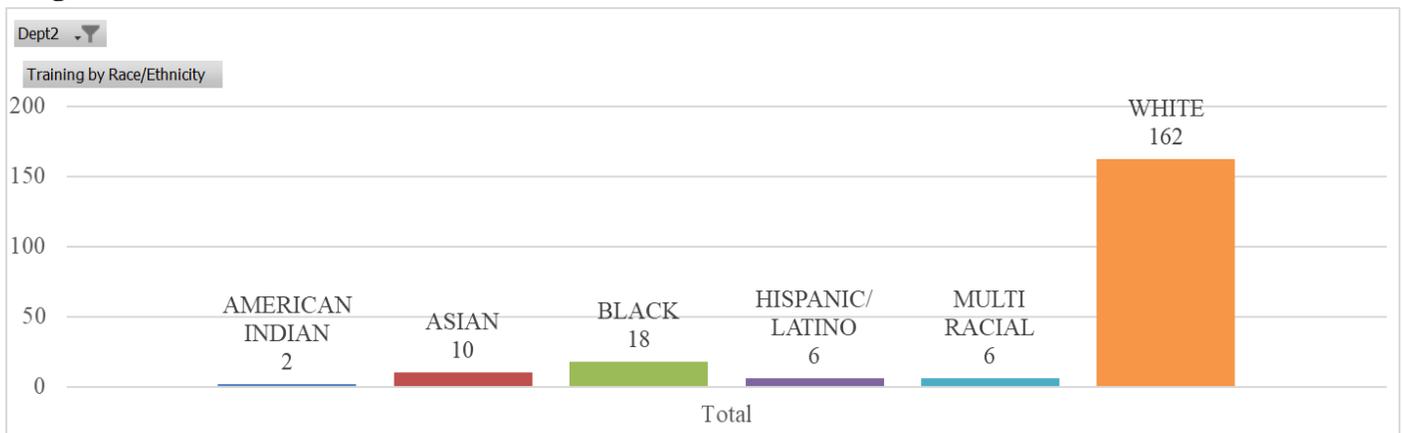
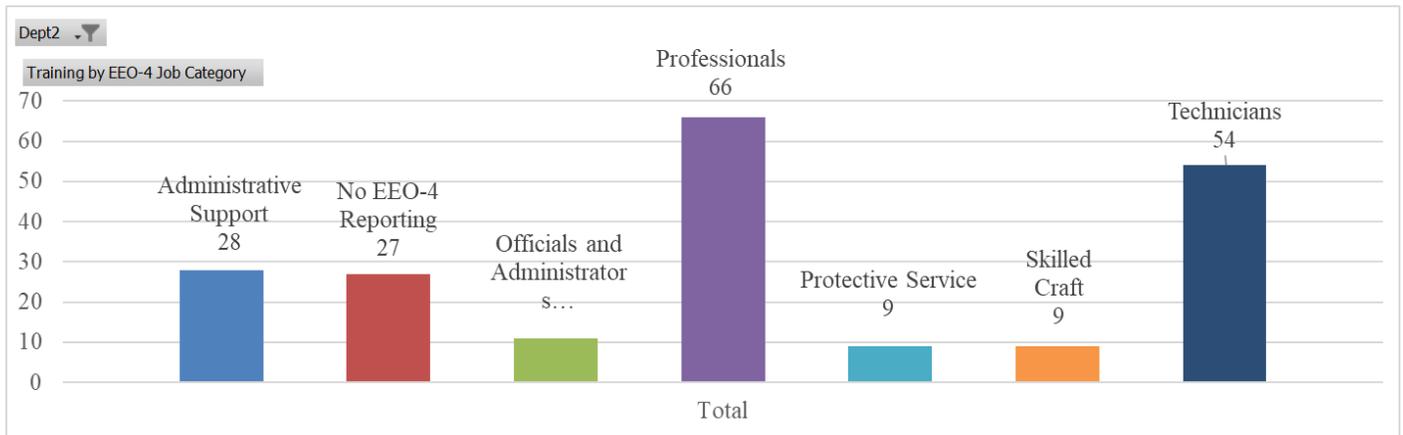


Figure 12 Training by EEO-4 Job Category



Figures 10-12 display the total number of attendees for D&I-related training courses by gender, race/ethnicity, and EEO-4 Job Category

Figures 10-12 data were obtained from the Delaware Learning Center (DLC) system as of 06/30/2022.

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Table 13

| TUITION REIMBURSEMENT SUMMARY | |
|---|---------------|
| | Number |
| Total Non-Minority Female | 0 |
| Total Minority Female | 0 |
| Total Non-Minority Male | 1 |
| Total Minority Male | 0 |
| Total Employees Requesting Tuition Reimbursement | 1 |

Table 13 displays the total number of employees receiving tuition reimbursement by gender and minority status.

Table 13 data were obtained from agency internal records during FY22.

Table 14

| DISABILITIES SUMMARY | |
|---|---------------|
| | Number |
| Total Employees Self-Identified or Disclosed Disabled | 1 |
| Total Requests for Accommodations | 1 |
| Total Requests Accomodated | 1 |
| Total Selective Placement Candidates Interviewed | 0 |
| Total Selective Placement Candidates Hired | 0 |

Table 14 displays the total number of employees who requested accommodations, the total number of accepted accommodations, the total number of employees who self-identified or disclosed as disabled, the total amount of candidates interviewed via the Selective Placement Program, and the total number of employees hired either via the Selective Placement Program.

Table 14 data were obtained from the PHRST system as of 06/30/2022.

Table 15

| EXIT SURVEY SUMMARY | | | | | | |
|---|-----------------|-------------|----------------|--------------|-------------|--------------|
| | EXCELLEN | GOOD | AVERAGE | BELOW | POOR | TOTAL |
| Agency as a place to work | 41% | 29% | 12% | 12% | 6% | 100% |
| | 7 | 5 | 2 | 2 | 1 | 17 |
| Opportunity for advancement or promotion | 6% | 6% | 24% | 24% | 41% | 100% |
| | 1 | 1 | 4 | 4 | 7 | 17 |
| Recognition of accomplishments/contributions | 12% | 41% | 12% | 12% | 24% | 100% |
| | 2 | 7 | 2 | 2 | 4 | 17 |
| Relationships with co-workers | 47% | 29% | 24% | 0% | 0% | 100% |
| | 8 | 5 | 4 | 0 | 0 | 17 |
| Relationship with your manager/supervisor | 53% | 18% | 12% | 6% | 12% | 100% |
| | 9 | 3 | 2 | 1 | 2 | 17 |
| Agency commitment to quality and customer service | 35% | 41% | 18% | 6% | 0% | 100% |
| | 6 | 7 | 3 | 1 | 0 | 17 |
| Work area tools available to perform the functions of your job | 24% | 65% | 6% | 6% | 0% | 100% |
| | 4 | 11 | 1 | 1 | 0 | 17 |
| Performance goals were clear and you knew what was expected of you in your job | 24% | 47% | 18% | 0% | 12% | 100% |
| | 4 | 8 | 3 | 0 | 2 | 17 |
| Training and development needs were assessed and met | 24% | 59% | 12% | 0% | 6% | 100% |
| | 4 | 10 | 2 | 0 | 1 | 17 |
| Benefits package | 53% | 47% | 0% | 0% | 0% | 100% |
| | 9 | 8 | 0 | 0 | 0 | 17 |
| Compensation | 13% | 0% | 6% | 31% | 50% | 100% |
| | 2 | 0 | 1 | 5 | 8 | 16 |
| Family-Friendly Workplace | 50% | 19% | 25% | 6% | 0% | 100% |
| | 8 | 3 | 4 | 1 | 0 | 16 |

Table 15 illustrates Exit Survey Summary data for employees who left the Department and were willing to provide responses.

Table 15 data were obtained from the employee responses provided on an online survey during FY22.

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SECTION XIII: RECRUITMENT AND RETENTION SUMMARY FY22 (JULY 1, 2022 – JUNE 30, 2023)

Table 16

| HARD-TO-FILL VACANCIES | | | | | | | |
|------------------------------|------------------------------|----------|-----------------------------------|----------------------|-----------------------|-----------------------|--------------------------|
| Vacancies (as of 6/30/21) | Vacancies (as of 6/30/22) | Job Code | Job Title | Total # Positions | Vacancy Rate FY 21 | Vacancy Rate FY 22 | % change FY22 vs FY21 |
| 0 | 0 | MGAA01 | Agricultural Comm. Inspector I | 1 | 0% | 0% | 0% |
| 0 | 0 | MDED01 | Asst Vet Medical Officer | 1 | 0% | 0% | 0% |
| 0 | 2 | MGCA03 | Conservation Technician III | 6 | 0% | 33% | 100% |
| 0 | 0 | MGBE02 | Environmental Scientist II | 7 | 0% | 0% | 0% |
| 0 | 0 | MGBE03 | Environmental Scientist III | 3 | 0% | 0% | 0% |
| 1 | 0 | MGBF02 | Hydrologist II | 1 | 100% | 0% | -100% |
| 2 | 1 | MGAB01 | Meat Inspector I | 5 | 40% | 20% | -100% |
| 1 | 1 | MGAG01 | Weights and Measures Inspector I | 2 | 50% | 50% | 0% |
| 1 | 0 | MGAG02 | Weights and Measures Inspector II | 3 | 33% | 0% | -100% |

Table 17

| HARD-TO-FILL APPLICANT PIPELINE | | | | | | |
|---------------------------------|------------------------------------|---------------------------|-------------------------|---------------------------|--------------------------|----------------------------|
| Job Code | Job Title | # Times Posted in FY22 | Total # Aps Received | Average # Aps Received | Total # Aps Qualified | Average # Aps Qualified |
| MGAG01 | Weights and Measures Inspector I | 2 | 13 | 7 | 6 | 3 |
| MGAG02 | Weights and Measures Inspector II | N/A | | | | |
| MDED01 | Asst Vet Medical Officer | N/A | | | | |
| MGAB01 | Meat Inspector I | 9 | 55 | 6 | 29 | 3 |
| MGAB02 | Meat Inspector II | N/A | | | | |
| MGAA01 | Agricultural Commodity Inspector I | 3 | 14 | 5 | 11 | 4 |
| MGCA01 | Conservation Technician I | N/A | | | | |
| MGCA02 | Conservation Technician II | 1 | 7 | 7 | 3 | 3 |
| MGCA03 | Conservation Technician III | N/A | | | | |
| MGBE01 | Environmental Scientist I | 1 | 12 | 12 | 8 | 8 |
| MGBE02 | Environmental Scientist II | N/A | | | | |
| MGBE03 | Environmental Scientist III | N/A | | | | |
| MGBF01 | Hydrologist I | N/A | | | | |
| MGBF02 | Hydrologist II | N/A | | | | |

Tables 16 and 17 display hard-to-fill vacancies by job classification, along with the applicant pipeline statistics for those hard-to-fill classifications including the number of times the position was posted, the average number of applications received per posting, and the average number of applicants deemed to meet the minimum qualifications (MMQ) for the position.

Table 16 data were obtained from the PHRST system as of 06/30/2022.

Table 17 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.

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Table 18

| Turnover by Division | | | | |
|---------------------------|------------------------------|-----------------------|-----------------------|--------------------------|
| Dept ID | Division | Turnover Rate FY21 | Turnover Rate FY22 | % Change FY22 vs FY21 |
| 650101100 | Dept of Agr/Administration | 13% | 14% | 1% |
| 650102200 | Dept of Agr/Agriclt Complia | 0% | 25% | 25% |
| 650103300 | Dept of Agr/Fd Prodcets Insp | 0% | 67% | 67% |
| 650104400 | Dept of Agr/Forest Service | 0% | 18% | 18% |
| 650105500 | Dept of Agr/Harness Racing | 0% | 0% | 0% |
| 650106600 | Dept of Agr/Pesticides | 29% | 0% | -29% |
| 650107700 | Dept of Agr/Planning | 0% | 80% | 80% |
| 650108800 | Dept of Agr/Plant Industrie | 8% | 0% | -8% |
| 650109900 | Dept of Ag / Animal Health | 11% | 22% | 11% |
| 650110010 | Dept of Agr/Thrghbred Race | 0% | 0% | 0% |
| 650111110 | Dept of Agr/Weights & Measu | 57% | 33% | -24% |
| 650112120 | Dept of Agr/Nutrient Managm | 0% | 0% | 0% |
| 650113130 | Dept of Agr/Lands Preservat | 0% | 0% | 0% |
| Department Average | | 9% | 20% | 11% |

Table 19

| Turnover by Hard-to-Fill Jobs | | | | |
|-------------------------------|------------------------------------|-----------------------|-----------------------|--------------------------|
| Job Code | Job Title | Turnover Rate FY21 | Turnover Rate FY22 | % Change FY22 vs FY21 |
| MDED01 | Asst Vet Medical Officer | 0% | 0% | 0% |
| MGAA01 | Agricultural Commodity Inspector I | 0% | 0% | 0% |
| MGAB01 | Meat Inspector I | 0% | 133% | 133% |
| MGAB02 | Meat Inspector II | 0% | 600% | 600% |
| MGAG01 | Weights and Measures Inspector I | 57% | 50% | -7% |
| MGAG02 | Weights and Measures Inspector II | 200% | 0% | -200% |
| MGBE02 | Environmental Scientist II | 14% | 0% | -14% |
| MGBE03 | Environmental Scientist III | 0% | 0% | 0% |
| MGCA03 | Conservation Technician III | 0% | 18% | 18% |

Tables 18 and 19 display employee turnover rates by Division and Hard-to-Fill Job Classifications. Turnover is the difference between the number of new employees versus the number of employees who leave or transfer to another Department. Employees who transfer between Divisions within the same Department do not count.

Tables 18 and 19 data were obtained from the PHRST system as of 06/30/2022.

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RETIREMENT ELIGIBILITY BREAKDOWN - FY22

Figure 20

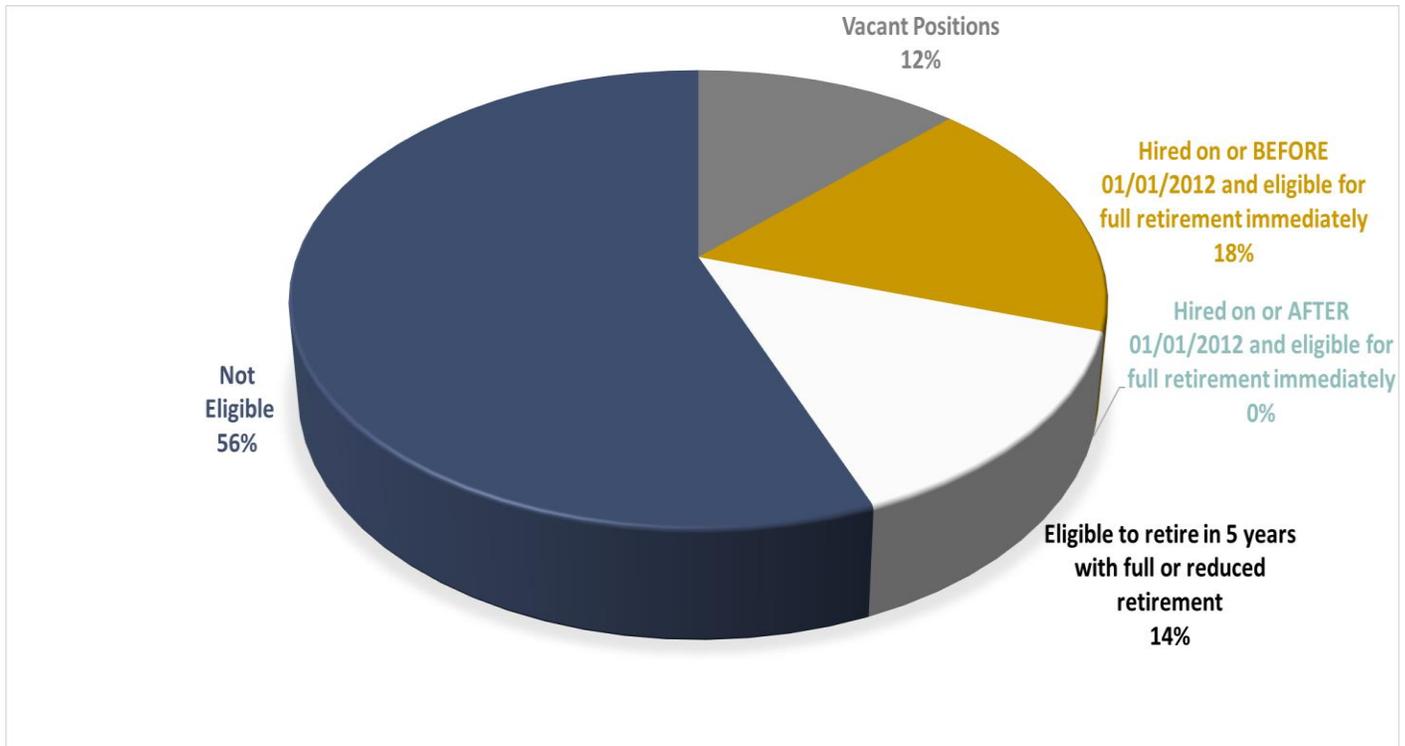


Figure 20 illustrates the percentage of positions based on their retirement eligibility status.

Figure 20 data were obtained from the PHRST system as of 06/30/2022.

Retirement Eligible Criteria: **

Employees Initially hired prior to January 1, 2012

1. Five (5) years pension credited service (must have five (5) consecutive) and has attained age 62; or,
2. Fifteen (15) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age.

Employees Initially hired on or after January 1, 2012

1. Ten (10) years pension credited service (must have five (5) consecutive) and has attained age 65; or,
2. Twenty (20) years of pension credited service (must have five (5) consecutive) and has attained age 60; or,
3. Thirty (30) years of pension credited service (must have five (5) consecutive) regardless of age

**Source: State Employees' Pension Plan Retirement Overview, 29 Del. C. c. 55, as amended.

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Table 21 RETIREMENT ELIGIBILITY BY DIVISION as of 6/30/2022

| Animal Health | | | | | | |
|---|------------------|------------------|--|---|---|--------------|
| Total # Positions | Filled Positions | Vacant Positions | Hired on or BEFORE 01/01/2012 and eligible for full retirement immediately | Hired on or AFTER 01/01/2012 and eligible for full retirement immediately | Eligible to retire in 5 years with full or reduced retirement | Not Eligible |
| 10 | 9 | 1 | 2 | 0 | 1 | 6 |
| Administration | | | | | | |
| 16 | 13 | 3 | 2 | 0 | 2 | 9 |
| Agricultural Compliance | | | | | | |
| 7 | 7 | 0 | 1 | 0 | 0 | 6 |
| Food Products Inspections | | | | | | |
| 25 | 19 | 6 | 3 | 0 | 4 | 12 |
| Forest Service | | | | | | |
| 22 | 19 | 3 | 7 | 0 | 3 | 9 |
| Harness Racing Commission | | | | | | |
| 7 | 6 | 1 | 4 | 0 | 2 | 0 |
| Nutrient Management | | | | | | |
| 6 | 6 | 0 | 1 | 0 | 0 | 5 |
| Pesticides | | | | | | |
| 8 | 8 | 0 | 1 | 0 | 1 | 6 |
| Planning | | | | | | |
| 4 | 4 | 0 | 1 | 0 | 1 | 2 |
| Plant Industries | | | | | | |
| 12 | 12 | 0 | 1 | 0 | 2 | 9 |
| Thoroughbred Racing Commission | | | | | | |
| 7 | 6 | 1 | 0 | 0 | 0 | 6 |
| Lands Preservation | | | | | | |
| 3 | 2 | 1 | 0 | 0 | 0 | 2 |
| Weights and Measures | | | | | | |
| 8 | 7 | 1 | 1 | 0 | 3 | 3 |
| Department of Agriculture Totals | | | | | | |
| 135 | 118 | 17 | 24 | 0 | 19 | 75 |

Table 21 illustrates the total number and percentage of positions by Division based on their retirement eligibility status.

Table 21 data were obtained from the PHRST system as of 06/30/2022.

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Applicant Pipeline

In FY22, 524 people applied online to DDA, a 13% increase from FY21 in which 457 applied. This includes applicants for all jobs posted in the Delaware Employment Link (JobAps) Recruitment System including Casual/Seasonal Recruitments.

Figure 22

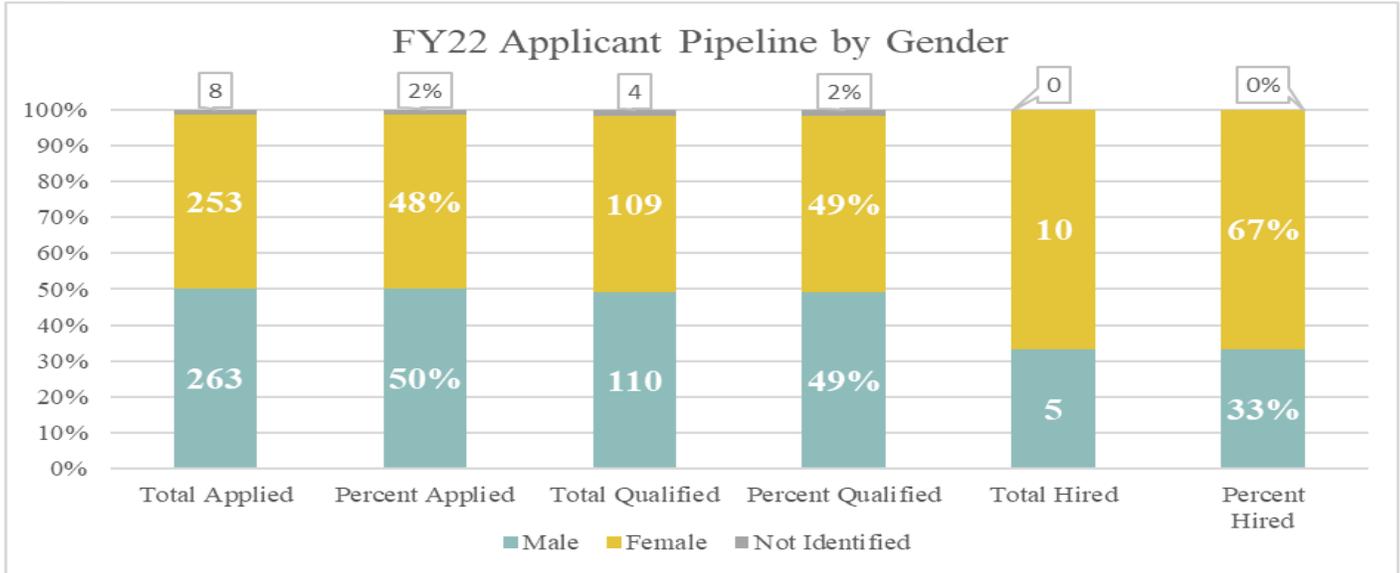
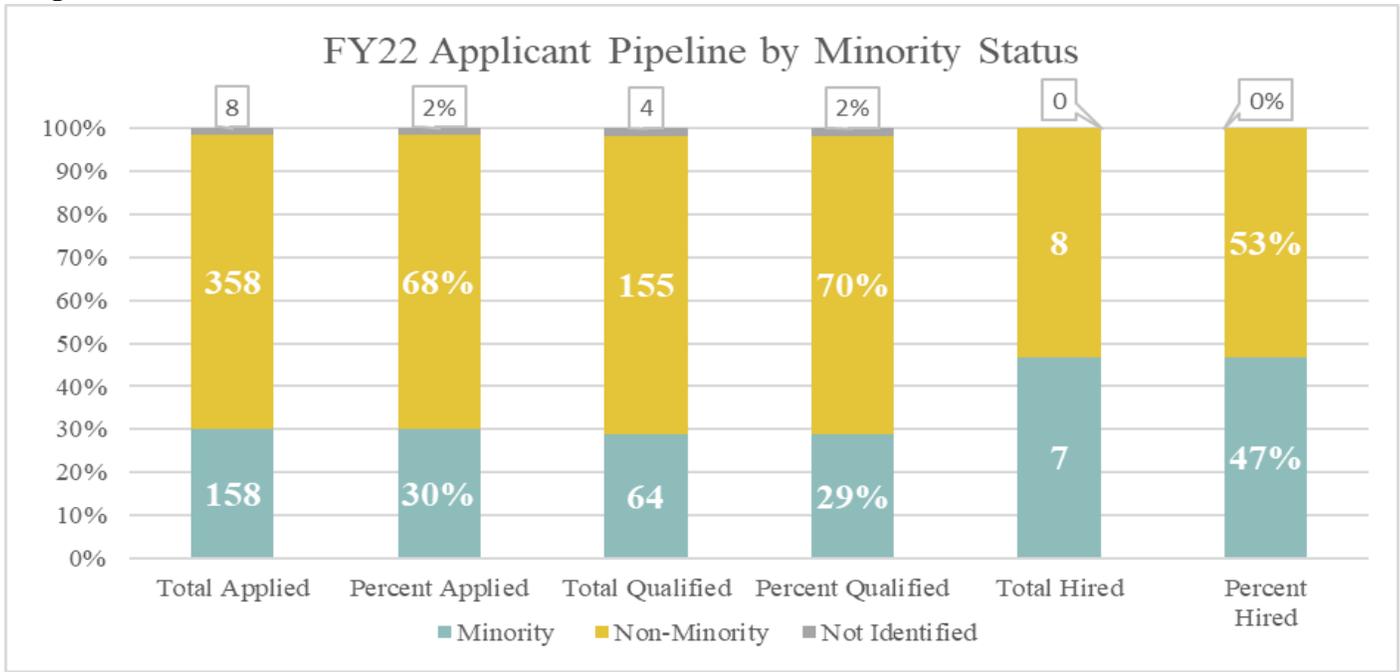


Figure 23



Figures 22 and 23 illustrate the total number of applicants who applied to State of Delaware jobs on the state’s primary hiring platform, The Delaware Employment Link at statejobs.delaware.gov, by minority status and gender. Further illustrated is the number of the total applicants who were found qualified and hired, also by minority status and gender.

Figures 22 and 23 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.

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Recruitment and Hiring Times

Table 24

| Fiscal Year | Average Time-to-Fill (days) | Average Time-to-Hire (days) |
|---------------------|-----------------------------|-----------------------------|
| FY21 | 51 | 27 |
| FY22 | 43 | 24 |
| Change FY21 vs FY22 | -8 | -3 |

Table 25

| Fiscal Year | Average Time Req-to -Open (days) | Average Time Closing Date-to-Referral (days) |
|---------------------|----------------------------------|--|
| FY21 | 2 | 13 |
| FY22 | 2 | 6 |
| Change FY21 vs FY22 | 0 | -7 |

Table 24 illustrates the average time in calendar days it takes to hire for vacant jobs and *measures the hiring manager's effectiveness in making hires.*

- Time-to-Fill is measured by the number of calendar days from recruitment posting to a conditional offer for hire. The current metric is 40 calendar days.
- Time-to-Hire is measured by the number of calendar days from the time referral list of qualified candidates is created for the hiring manager until a conditional offer for hire. The current metric is 15 calendar days.

Table 25 illustrates the average time in calendar days it takes to post recruitments for vacant jobs and *measures HR's effectiveness in processing recruitments.*

- Average Time from Request-to-Open is measured by the number of calendar days it takes HR from the time they receive a request to fill a vacant position until they get the recruitment posted. The current metric is 2 calendar days.
- Average Time Closing Date-to-Referral is measured by the number of calendar days from the time recruitment closes until a referral list of qualified candidates is created for the hiring manager. The current metric is 5 calendar days.

Tables 24 and 25 data were obtained from the Delaware Employment Link (JobAps) recruitment system as of 06/30/2022.

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SECTION IV: PLAN OF ACTION - FUTURE STEPS TO IMPLEMENT IN FY23 (JULY 1, 2022 – JUNE 30, 2023)

STRATEGIC PRIORITY (SP-1)

Workplace Environment, Climate, and Culture

Foster an equitable and inclusive environment that recognizes the value of diversity among all employees working on-site and remotely*.

** At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

| Strategic Priority | Objective | Measures of Success/Key Results | Responsible Group | Resources | Target Date to Launch |
|---------------------------|---|--|-----------------------------|------------------|------------------------------|
| SP-1 Goal 1 | No overall workplace environment/climate issues need to be addressed. | Continue a positive work environment with zero complaints, increasing employee satisfaction and retention. | Administration and Managers | None | Ongoing |

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STRATEGIC PRIORITY (SP-2)

Management and Supervisory Effectiveness

Increase management and supervisory capacity to lead, engage and motivate a diverse and inclusive workforce to yield rigorous workforce outcomes and attainment of the state’s mission, vision, and value proposition. *

** At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

| Strategic Priority | Objective | Measures of Success/Key Results | Responsible Group | Resources | Target Date to Launch |
|---------------------------|---|--|-----------------------------|--|------------------------------|
| SP-2 Goal 1 | Without a way to retain and transfer knowledge, we experience difficulties training new employees and providing consistent, top-quality service to customers. | Ensure that key knowledge from departing employees is stored and shared with supervisors /managers. Increase documentation of work functions and tasks for DDA positions. | Managers and Administration | Use of dual incumbency when appropriate. | Ongoing |

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| Strategic Priority | Objective | Measures of Success/Key Results | Responsible Group | Resources | Target Date to Launch |
|---------------------------|---|--|-----------------------------|--|------------------------------|
| SP-2 Goal 2 | 18% (24 employees) are eligible to retire immediately and about 14% (19 employees) are eligible to retire within the next five years. | Smother transitions through employee retirements. | Managers and Administration | Best practices for planning retirements – particularly for staff who are ‘single resources’ – who do not share duties with others. | Ongoing |
| SP-2 Goal 3 | Work with DHR on methods to increase minority representation in qualified applicant pools. | An increase in minority representation in qualified applicant pools. DDA hired female and minority candidates more often than they applied during FY22. Further increases would be accomplished by increasing the rate at which they are applying to our positions. | DHR / DDA Administration | DHR Talent Acquisition | Ongoing |

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STRATEGIC PRIORITY (SP-3)

Professional Development, Education, and Awareness

Enhance and provide professional, personal, and leadership development programs to advance the success of all employees across the life cycle of their careers with a key focus on equitable enrollment and participation in professional development, engagement, education, and training opportunities*.

** At least one objective under this Strategic Priority should describe how the agency plans to address gaps in retention, recruitment, and workforce underrepresentation via collaboration with DHR.*

| Strategic Priority | Objective | Measures of Success/Key Results | Responsible Group | Resources | Target Date to Launch |
|---------------------------|--|---|--------------------------|---|------------------------------|
| SP-3 Goal 1 | Increase awareness of professional development and educational assistance programs among DDA staff with emphasis on advancement for non-professional and lower pay grade staff. The long-term goal is a promotion to underrepresented, professional positions. | Enrollment in state professional development or educational assistance. | Administration | State professional development program information. DDA tuition reimbursement program. | Jan 2023 |