
Affirmative Action Plan

Agency Overview

The Oregon State Board of Nursing (OSBN) consists of a nine-member board appointed by the Governor. The Board includes two public members, four registered nurses, one licensed practical nurse, one certified nursing assistant, and one nurse practitioner. Board members serve three-year terms with one additional appointment option for a maximum total of 6 years. The mission of the Board is to protect the public by regulating nursing education, licensure, and practice.

The OSBN meets monthly throughout the year and may hold special meetings if necessary. Board meetings are open to the public except for executive sessions as per Oregon Public Meeting Law. The OSBN employs a staff of 55 at any given time, who provide customer service and assist the Board in carrying out its mission.

The OSBN, with the help of its staff, interprets the Oregon Nurse Practice Act consisting of Oregon Revised Statute (ORS) 678 and Oregon Administrative Rules (OAR) Chapter 851. These statutes and rules describe the Boards jurisdiction of the following:

1. Evaluating and approving nursing education and nursing assistant training programs.
2. Issuing licenses and renewals for those healthcare workers described by Statute
3. Investigating complaints and taking possible disciplinary action against licensees who violate the Oregon Nurse Practice Act.
4. Maintaining the nursing assistant registry and administering competency evaluations for nursing assistants; and,
5. Providing testimony to the legislature and other organizations as needed.

Agency Mission and Objectives

The mission: The Oregon State Board of Nursing protects the public by regulating nursing education, licensure, and practice. The Board has adopted the values of Integrity, Collaboration, Stewardship, Simplicity, and Innovation.

The OSBN’s objectives are to administer ORS 678 and OAR 851 to license, investigate charges against, and discipline Registered Nurses, Licensed Practical Nurses, Certified Nurse Anesthetists, Nurse Practitioners, Clinical Nurse Specialists, Certified Nursing Assistants and Certified Medication Aides.

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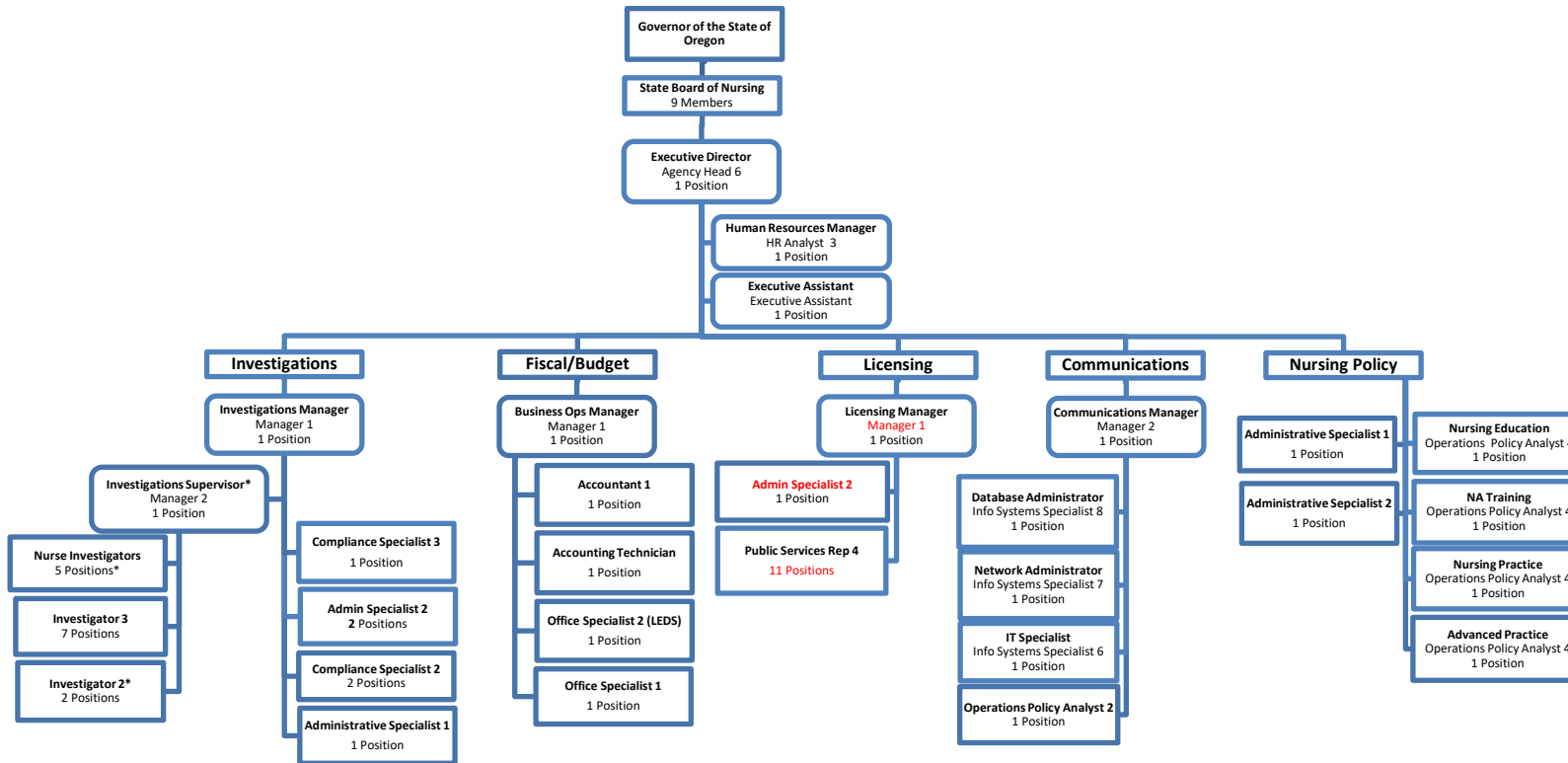
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Identification of the Following Employees

- **Agency Director:**
Ruby R. Jason, MSN, RN, NEA-BC
17938 SW Upper Boones Ferry Rd.
Portland OR 97224
Phone number 971-673-0639
- **Governor's Policy Advisor:**
Ryan Deibert, MPH ryan.deibert@oregon.gov
- **Affirmative Action Representative (AAR):**
Jeff Lamont, Human Resources Specialist
Phone number 971-673-0641
- Diversity & Inclusion Representative: None at this time.

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Proposed Agency Organization Chart (2023-2025)



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Affirmative Action Plan

A. Agency Affirmative Action Policy Statement

The Board of Nursing will not tolerate discrimination or harassment based on age, color, marital status, mental or physical disability, national origin, race, religion, sex, sexual orientation, or any reason prohibited by state or federal statute. All personnel actions of the Board of Nursing, and all licensing actions and disciplinary actions concerning licensees, shall be administered according to this policy. The Board will screen and monitor all vendors/providers to ensure they abide by this policy.

B. Diversity and Inclusion Support Statement

- **Hiring:** The Board of Nursing takes proactive steps to provide fair and equal opportunities in our business process of hiring. Peers serve on interview panels to provide feedback on candidates based on objective criteria. The Board of Nursing’s recruitment announcements and advertisements identifies the agency as an Equal Opportunity/Affirmative Action employer and includes the statement, “The Oregon Board of Nursing is an equal opportunity, affirmative action employer committed to work force diversity.”
- **Retention:** All agency employees who meet minimum qualification standards will be provided an opportunity to apply and interview for open positions within the agency, including promotions. Supervisors coach for success, with an understanding of each employee’s functions, goals, and developmental needs. Employees are evaluated per Department of Administrative Services (DAS) procedures. Employees and peers are asked to provide feedback for each management position evaluation once a year and all managers are provided with quarterly feedbacks. Developmental plans are established to assure that all employees are informed of opportunities for career progression and adherence to current position performance standards.
- **Succession Planning:** Succession planning for Board members has been a priority for the Board staff. Assuring that the representation on the Board, both professional and public, are consistent with the demographics of the profession and of Oregon. Internally, each department has a “desk book” outlining department procedures to provide new employees with documented pathways to help achieve the mission of the agency. Succession planning at the executive level of the agency has been in process since September of 2021 in anticipation of a change in the Executive Director position in December 2022. The model for succession planning is per the National Council of State Boards of Nursing, the national professional organization for nursing regulatory boards and the Department of Administrative Services (DAS) guidelines.
- **Licensing and Investigations:** The agency has reviewed all applications for statutory necessity of information. Information regarding gender has been expanded from the previous binary options. There was discussion to remove this data as not significant in awarding a license or certification, however, community stakeholders requested keeping this information as part of the overall workforce data for Oregon nurses. No data is collected at the Board level regarding race, ethnicity, sexual orientation, demographic identification since none of this information has a

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bearing on the qualifications for licensure as a nurse. All application disclosure questions have been reviewed to assure that only the statutory required information is requested and questions not leading to possible public safety risk have been eliminated or re-worded.

C. Training, Education, and Development Plan

- **Employees:** All new employees to OSBN are provided with policies and procedures during our one-on-one new employee orientation session. The orientation includes a request for new employees to review the agency's affirmation action plan. Employees are provided guidance on how to bring forward concerns or complaints of inappropriate conduct. On OSBN's Intranet there is access to all internal policies, Department of Administrative Services, CHRO policies, and resources. The complaint form can be accessed immediately and describes the process for bringing forward concerns of Discrimination, Harassment and Workplace issues and refers employees to the HR Policy, Discrimination and Harassment Free Workplace Policy 50.010.01; which references discrimination on the basis of age, color, disability, sex, family medical leave, medical condition, religion, national origin/ancestry, race, sexual orientation, and veteran status. This policy informs employees of their rights to file a complaint with BOLI. Employees are also provided with their rights as a represented employee in their SEIU union contract. All concerns/complaints brought forward are taken seriously and resolved as quickly as possible. Employees are notified when an investigation begins, the nature of the complaint and notified of the outcome of their complaint. The supervisor in conjunction with the Executive Director ensure appropriate corrective action is taken and maintained overtime. Upon conclusion of the investigation, the complaint, witnesses, and the subject of the complaint will be informed of the conclusion.
- **Volunteers:** Due to the sensitivity and security requirements the Board does not utilize any volunteers.
- **Contractors/Vendors:** All contractors and vendors are escorted throughout the building unless they have had a national fingerprint background check clearance and per agency requirements. Behaviors exhibited by contractors/vendors that do not meet Board of Nursing expectations will be reported to their supervisor, Director, or the Office of Human Resources. Contractors/Vendors that do not demonstrate the expected standards will be coached. If negative behavior continues, said contractors/vendors will not be given access to the building and reported to DAS procurement for further review regarding access to state agencies.

D. Programs

- **Internships:** Due to the size and work of the agency there are no internships offered.
- **Mentorships:** Mentorship opportunities are offered to graduate nursing leadership students who shadow the Executive Director for a specified period. These mentorships are usually requested by the education program and agreed to based upon current Executive Director workload. Goals and objectives are determined prior to the beginning of the shadow experience.
- **Community Outreach Programs:** The mission of the Board and limited number of FTEs does not lend itself to participating at career fairs or other community events. During the 2021-2023 biennium, in response to the COVID-19 declaration, the Employee Activity Committee (EAC) has been placed on hold, with many of its members resigning due to the remote working opportunities currently being provided. Post declaration and during the 2023-2025 biennium, a review will be done to determine how the EAC will move forward. Over 90% of the staff work remotely with intermittent presence within the agency building. Attempts to continue with some of the EAC more traditional activities has resulted in less

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than expected. Most of the events were attended by those in the office that day with no staff coming into the office for the event. This resulted in the Executive Director suspending the EAC until the effects of remote working can be analyzed. The Red Cross Blood Drives have continued to be held as this event is open to all within the building complex and the public in general. The Employee Health and Wellness plan has been modified to increase the number of on-line offerings and using electronic platforms as the method of choice for content delivery. The agency will continue to host flu shot clinics and any other vaccine clinics authorized by the state. These clinics are open to all state employees in the area. Until the post-COVID-19 situation can be evaluated by the new Executive Director, the agency will not participate in any agency specific fundraisers as has been the tradition in previous years. The agency will continue to participate in any state fundraising activity.

- **Agency-Wide Diversity Council:** At present the Board does not have an agency-wide diversity council. An Equity Committee was formed but due to several staff resignations the committee has been on hold.
- **Employee Resource Groups/Affinity Groups:** At present the agency does not have these types of groups. The AAO is tasked as the employee resource for support access available through state employment.
- **Diversity Presentations, Trainings, and or other activities:** To determine the need of the staff regarding non-DAS mandated trainings regarding Diversity, the agency sent out 2 surveys to all staff. The results of the surveys are found in Appendix E. The same questions were sent out twice due to poor response the first time and, per feedback, lack of clear instructions. This survey was done just as the pandemic started and, as with most things, was not addressed due to shifts in workflow and remote working. A new HR specialist was hired with the commitment that once position orientation and a specific comfort level was reached with the functions of the role, the Equity Committee would be reformed. This is estimated to happen early 2023.

All staff participate in state required trainings and in-services. The agency has funded staff to attend the following non-mandatory education:

- 2020: State Diversity and Inclusion Conference (2 staff, non-management)
 - 2021: Transgender Inclusive Workplace Training (2 staff, non-management)
 - Attorney General’s Public Law Conference (8 staff)
 - The current Affirmative Action Plan was discussed with the staff during the all staff meeting of November 2020.
- **Leadership Development/Training Programs:**
 - Equal Employment Opportunity (EEO) Data of Trainees: No new managers were added during this current biennium, and all have taken the 2022 CHRO 2022 Preventing Discrimination and Harassment education module.
 - The results of this program were not measured. There was only one peer-to-peer discrimination incident reported to leadership resulting in the resignation of the involved staff prior to the completion of the review with DAS.

E. Executive Order 22-11 Updates

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- This EO was declared 6/16/2022 and builds on the previous Affirmative Action, Equal Employment Opportunity, Diversity, Equity, and Inclusion. Requirements of EO will be included in this Affirmative Action Plan. The agency goals for the remainder of the 2021-2022 biennium and 2023-2025 biennium will incorporate the goals outlined in this order.

F. Status of Contracts to Minority Businesses (OAR 659A.015)

- 1) **Number of Contracts with Minority or Women-Owned Business:** The agency does not use an RFP process for awarding contracts. The size of the agency and duration of needs does not require RFPs per DAS procurement policies. The agency does contract with subject matter experts for investigative case review and testimony at contested case. All of the current consultants are women; however, this may be due to the demographics of nursing rather than intentionally seeking women-owned contractors.
- 2) **Number of minority or women owned business contracts:** Specifically contracted by the agency: 0 Does not utilize an RFP system but does contract using the Oregon Buys COBID program to contract services if possible. Many specialized services are single source (such as IT purchases, database purchases, etc) some are required per DAS contracts (Office Depot, FedEx,). The building is leased. The landlord determines awarding of contracts although our purchasing officer has worked with the landlord to advise him of state women and minority-owned business goals.

Roles for Implementation of Affirmative Action Plan

Responsibilities and Accountability:

Director/Administrator:

1. Foster and promote to employees the importance of a diverse, inclusive, and discrimination/harassment free workplace. Participate in staff education and serve as an example and role model.
2. Approve strategies and timetables for meeting affirmative action goals.
3. Ensure that discussion regarding the Affirmative Action Plan is discussed at each manager quarterly review. Clarification of expectation and discussion of removal of barriers will be part of the quarterly discussions.
4. Assure that each position description developed, approved, and implemented describes the expectation for adherence of all employees to the Affirmative Action Plan.
5. Support managers and encourage participation in developing opportunities in promoting affirmative action activities based upon the post COVID assessment of the best process for presenting these activities.
6. Act as the Affirmative Action Officer directly to the Board.

Managers and Supervisors:

1. Foster and promote to employees the importance of a diverse, inclusive, and discrimination/harassment free workplace.

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2. Participate in education on the agency affirmative action goals, understand their own responsibilities, and self-evaluation of how they are achieving the plan goals and objectives.
3. Evaluate subordinate employees by considering how well the employee fosters and promotes a diverse workforce, how well the employee promotes the affirmative action goals and objective. Assure that the staff are knowledgeable about Board policies and procedures that promote diversity, inclusion, and values.
4. Work within the state’s human resource policies and procedures in filling vacancies.
5. Work with the Affirmative Action Officer to assure that recruitment postings are written to encourage a diverse pool of applicants.
6. Attend trainings, as offered, regarding diversity-related topics.
7. Act in a timely manner if they become aware of any employee engaging in any type of harassment or behaviors that are not respectful or inclusive.
8. Be held accountable for promoting affirmative Action, diversity, and inclusion and values on performance discussions and documents.

Affirmative Action Officer (AAO) or Designee:

1. Attend and contribute as a state representative to any attended DEI meeting and report content of meetings to Executive Director and managers.
2. Work with the Executive Director, managers and employees to promote a diverse workforce environment and assist in the maintenance of a diverse workforce.
3. Assure that agency hiring practices and processes encourage a diverse workforce.
4. Discuss with the Executive Director and managers methods for removal of barriers to implementation and achievement of agency affirmative action goals. Request resources as needed.
5. Assure that each position announcement contains the statement “The Oregon State Board of Nursing is an equal opportunity , affirmative action employer committed to workforce diversity”.
6. With managers, create recruitments that encourages application by a diverse pool of applicants. Support organizational development, educational opportunities and recommend topics for all staff to reinforce the affirmative action plan. Create programs that will provide effective communication for either in-person or electronic presentation.
7. Discuss our affirmative action plans with all new employees. Communicate to new employees’ expectation regarding agency values and civility in the workplace, describe the agency’s commitment to personal and professional growth of all employees.
8. Assist the Executive Director when responding to complaints or issues, assist with investigating concerns and assist in resolving issues. Enforce policies and procedures at every level of the organization.
9. Offer the statewide exit interview survey to all employees leaving the agency. Analyze the survey for trends. If discrimination or harassment was a factor in employee separation work with DAS to investigate and take appropriate action. Inform the Executive Director of the results.

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10. Routinely review and facilitate needs for a reasonable accommodation need. Review requests for FMLA/OFLA discerning if there are reasonable accommodation needs. Assist employees and managers in removing workplace barriers. Address ergonomic issues for all new employees and remind staff of the agency yearly ergonomic assessment period.

July 1, 2021 – June 30, 2022 Accomplishments: Progress and Losses

As previously stated throughout this report, the COVID-19 pandemic and Governor’s Emergency Declaration dominated much of this biennium. The attainment of goals and objectives as described in the 2021-2023 Affirmative Action Plan were curtailed during the transition to remote work, handling emergency licensing requirements throughout the state and staff concerns about the pandemic. In the beginning of the pandemic, the Executive Director provided daily briefings to the staff regarding pandemic and Board status. As the pandemic wore on these briefings went to weekly, then, as staff settled into the “norm” of the pandemic briefings went to monthly or as needed. External pressure from the state and stakeholders to rapidly deploy staff from other states consumed many of the Board resources and staff did not attend non-mandatory offerings for education and community building. As previously mentioned, many of the activities noted in the 2021-2023 plan were curtailed or placed on hold. We see this as a loss to the agency. Given that variants of the COVID virus are still with us, designing a plan for the new biennium will take different ideas and resources than in the past.

2021-2023 Action Goals Status:

- *Create equity committee to define actual or perceived barriers to hiring of hispanic applicants.*
As previously stated, this committee was formed but placed on hold due to staff participation curtailed by the issues regarding the covid-19 pandemic. Our hiring and recruitment practices remain committed to diversity, equity, and inclusion. The aao will review revival of the equity committee once a post pandemic workplace norm is achieved. Outcomes and commonalities regarding hispanics not hired for osbn positions with exploration of possible bias not done.
- *Build strategic partnerships with other state agencies and resources in the community to achieve affirmative action goals, outcomes, and measurements.*
This biennium saw very little movement in hard to fill positions, those positions requiring a nursing license. Increase in salary for the investigators who are licensed nurses has alleviated many of the previous concerns regarding an adequate pool of applicants. The most significant community partnership has been about the impending recruitment for the executive director. The board will, per das policy, seek assistance from community stakeholders during the recruitment process.

Hiring panels do receive an orientation (but not training) on the concepts of internal bias. Because hiring panels differ for each position, there has not been an overall program for staff regarding unconscious bias. This will move the 2023-2025 biennium plan. The hiring panels contain staff from each department in the agency so that each panel member plays a role in the review of applicants. All position offers are made utilizing the das equity pay evaluation process.

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Given the unstable circumstances regarding the economy as a response to the pandemic, the agency has not had an issue with retention of staff. Most of the departures occurred due to retirements and increased salaries offered by other agencies. Dei training as been offered to all staff by das and investigations staff received education on trauma informed interviewing. This technique is to be implemented on respondents of complaints and is not yet integrated into any management education.

- *Leadership evaluation.*

All recruitment announcements provide notice to applicants that osbn complies with this requirement to evaluate all management personnel. This is substantiated by the fact that 100% of our management staff receive an annual performance evaluation including the executive director.

- *Succession plan.*

This plan was not completed by 2020. Staff, however, have taken on additional roles and received advancement through the staff development process.

- The hr specialist was promoted from the ranks of the investigator 3 group.
- As 1 in investigations came from as 1 position from the policy analysts.
- As 2 in investigations promoted to investigator 3.
- As1 promoted to the vacancy left due to the as 2 promotion.
- All licensing technician positions have been elevated from psr3 to psr4 positions to incorporate more program responsibilities and decision making.

Since all personnel data now is housed in the workday program, data sets available from the 2021-2023 action plan are no longer available. Data from workday is displayed below:

DEI DATA FROM WORKDAY:

<u>Disability Reporting</u>	<u>Percent</u>	<u>Number</u>
Reported Disability	2.0%	1
Not reported	98.0%	49
Total	100.0%	50

<u>Gender (Binary Options)</u>	<u>Percent</u>	<u>Number</u>
Male	22.0%	11
Female	76.0%	38

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Blank/Other	2.0%	1
Total	100.0%	50

<u>Workers by Generation</u>	<u>Percent</u>	<u>Number</u>
Generation Z (1997-current)	2.0%	1
Millennials (1981-1996)	14.0%	7
Generation X (1965-1980)	50.0%	25
Baby Boomers (1947-1964)	34.0%	17
Traditionalists (1917-1946)	0.0%	0
Total	100.0%	50

<u>Workers by Race/ethnicity</u>	<u>Percent</u>	<u>Number</u>
American Indian or Alaska Native	2.0%	1
Asian	4.0%	2
Black or African American	6.0%	3
Hispanic or Latino	4.0%	2
Two or More Races	4.0%	2
White	80.0%	40
Total	100.0%	50

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<u>Veteran Status</u>	<u>Percent</u>	<u>Number</u>
Not a veteran	94.0%	47
Veteran	6.0%	3
Total	100.0%	50

Workday does not offer intersectionality in that it does not account for people who identified in multiple categories.

2023–2025 Affirmative Action Goals

Many goals will be a carryover from the previous biennium. While many activities were started prior to the outbreak of the pandemic, the positioning of the Board of Nursing made focusing on licensing of out of state workers a priority for over a year. Post pandemic, the pressure to license needed practitioners is even greater. Despite the transition from in-office work and participation in agency activities intended to foster DEI, there remain attainable goals regardless of circumstances.

- 1) Issue: Only 20% of staff self- identify as non-white.
 - a) Tactic: AAO to develop a tracking mechanism for employment decisions and why individuals identifying themselves as other than white were not hired.
 - b) Tactic: Re-establish the Equity Committee to review these findings and report to the Executive Director with recommendations.
 - c) Tactic: Understanding of panel hiring decisions and possible unconscious or conscious bias.
 - d) Outcome: By the 2025-2027 biennium plan, a 10% increase in those identifying themselves as non-white.
 - e) Measure: Personnel data from Workday
- 2) Issue: Remote work impacting participation in agency group activities such as socials, fundraisers, celebrations, etc. Staff are not willing to drive into the office to participate. All internal fundraising and activities have been suspended since 2021, except for the Red Cross Blood Drive.
 - a) Tactic: Once new Executive Director is oriented, consider establishment of a committee of staff and managers to increase remote workplace involvement.
 - b) Tactic: Review literature with staff regarding options other industries have adapted to transition to remote working.
 - c) Tactic: Establish a “meet and great” video forum during staff meetings for newer employees to meet other employees.
 - d) Outcome: Re-establishment of agency social and fundraising activities as can be supported in the new work environment.
 - e) Measure: Re-establishment of the Employee Activity Committee with at least 2 activities to support workplace socialization by June 2024.
- 3) Issue: Review all position descriptions to assure that affirmative action, diversity, equity, and inclusion responsibilities are part of all executive and management position descriptions (EO 22-11).

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- a) Tactic: The management team and the Executive Director will develop language based upon state DEI principles and goals for each position description.
 - b) Tactic: DEI principles and goals will be incorporated into quarterly feedback.
 - c) Outcome: All position descriptions will outline position expectations regarding DEI.
 - d) Measure: 100% of Executive Director and Management position descriptions will contain DEI principles and goals by July 1, 2023.
- 4) Issue: Agency does not track evaluate and measure trends in agency discrimination and/or harassment claims. (EO 22-11)
- a) Tactic: Human Resources Specialist will develop tracking tool and develop a quarterly report to be presented to the Executive Director.
 - b) Outcome: All incidents regarding discrimination or harassment claims will be identified, reported, and trended.
 - c) Measure: Information will be included in the 2025-2027 biennium Affirmative Action Plan.
- 5) Issue: Agency does not have a routine, progressive education plan for managers, the Board and staff regarding DEI and affirmative action.
- a) Tactic: Executive Director and AAO will develop education program for managers, Board and staff going beyond the DAS education requirements.
 - b) Tactic: Review other organizations such as CLEAR, FARB, and NCSBN for educational content.
 - c) Tactic: Develop feedback format for all attendees to ascertain if needs were met or if other content is requested.
 - d) Outcome: Education calendar will consist of quarterly DEI/Affirmative Action education offerings utilizing multi-media formats.
 - e) Measurement: Will report total number of presentations in the 2027-2025 biennium report, along with feedback information.