

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Human Resources



**Responses to Fiscal Year 2020-2021
Performance Oversight Questions**

**Ventris C. Gibson
Director, Department of Human Resources**

**Submission to
Committee on Labor and Workforce Development
Council of the District of Columbia
The Honorable Elissa Silverman, Chairperson
February 23, 2021**

**John A. Wilson Building
1350 Pennsylvania Ave. NW
Washington, DC 20004**

**DEPARTMENT OF HUMAN RESOURCES
FY2020-2021 Performance Oversight Questions**

**Committee on Labor and Workforce Development
Councilmember Elissa Silverman (At-Large), Chair**

| | |
|--|----|
| I. Agency Priorities, Performance, and Evaluation..... | 2 |
| II. Budget and Expenditures | 14 |
| III. Agency Organization and Personnel..... | 17 |
| IV. The Coronavirus Pandemic..... | 20 |
| V. Hiring and District Residency | 26 |
| VI. Employment and Work Conditions | 36 |
| VII. DCHR Operations | 40 |
| VIII. Complaints and Disputes | 42 |

I. Agency Priorities, Performance, and Evaluation

1. Please discuss DCHR’s **top five priorities**.
 - a. How did the agency address its top five priorities in FY2020, including the impact of and any adjustments or modifications due to COVID-19?

Answer: Please see response below.

City University: In FY20, DCHR launched the framework for a City University. Through City University, employees will learn the principles of and best practices for contracting and grant management from experienced District professionals in order to develop the skillsets necessary to address occupational core competencies. DCHR collaborated with subject matter experts in the fields of contract and grant management to develop a series of trainings through City University that will be launched in Q2 of FY21.

In addition, DCHR launched the HR Certificate Program as part of City University. The program, which met two days per month over a six-month period, had a curriculum that focused on key HR principles including leave management, employee relations, compensation, organizational development, performance management, and retirement. All participants also completed a Capstone presentation that focused on how the information learned would be applied to daily work. DCHR received 55 applications for the program, out of which 36 candidates (65%) were selected for the cohort. As indicated by the scores of the tests candidates took at the end of the program, 99% of participants comprehended the intended course All DCHR employees completed eight of the 12 HR certificate classes in Q1 of FY21 and will complete the remaining four in Q2.

Participants’ feedback indicated enthusiasm about the program and the helpfulness of the course content. DCHR incorporated this participant feedback to improve the second cohort of the HR certificate program, which will begin in the spring of 2021.

Career Pathways: In FY20, DCHR partnered with the District Department of Employment Services and relevant stakeholders across agencies, community-based workforce development centers, and educational partners to develop four apprenticeship programs: Information Technology, Medical Billing and Coding, Information Technology for Graduating Seniors, and Human Resources. DCHR partnered with the University of the District of Columbia (UDC) and Strayer University to develop the corresponding apprenticeship curricula. DCHR presented each apprenticeship and corresponding curriculum to the Apprenticeship Board, which approved the apprenticeship programs. Recruitment and candidate selection completed in Q1 of FY21 and selected apprentices are scheduled to begin in Q2 of FY21. Due to the COVID pandemic, the HR apprenticeship is currently on hold, but we hope to reevaluate recruitment for the program in the spring of 2021.

In addition to UDC and Strayer, DCHR also entered partnerships with over 10 local high schools and participated in several virtual hiring fairs. We also updated our marketing materials and recorded a video that was shared with students at one of the virtual hiring events. These efforts were intended to increase the number of District residents applying for entry-level positions in District government.

During FY20, DCHR piloted a soft launch with six District agencies to learn more about their recruitment process for entry-level positions. As a result of Career Pathways, Fire & EMS (FEMS) and the Metropolitan Police Department (MPD) partnered with DCHR for the recruitment of two entry-level positions: FEMS Cadet Program and MPD Cadet Program. Each agency in partnership with DCHR, conducted several information sessions for interested resident-graduates to learn more about the entry-level positions. FEMS on-boarded 21 career pathways candidates on November 9, 2020 for its Cadet Program. MPD, due to budget constraints, has taken no further action at this time. We also worked with agencies such as the District Department of Transportation and the Office of Unified Communications to hire District graduates for their entry-level emergency positions in response to the pandemic.

Technology Enhancements: In FY20, DCHR automated high-volume processes including credentialing requests, SMART Trip benefit enrollment, official personnel folder requests, and employee verifications. In addition, DCHR transitioned to a fully virtual new employee orientation, wellness programs, and trainings.

Finally, DCHR enhanced its website by adding a [Frequently Asked Questions](#) webpage and a [New Hire Portal](#) to help facilitate easier navigation and information sharing for the HR community and District employees. For specific information on technology enhancements, please see Questions 3 and 60.

Workforce/Succession Planning: In FY20, DCHR collaborated with the Office of the Chief Technology Officer to create a workforce planning dashboard that includes metrics such as quality of hires, eRecruit referral source, retirements by fiscal year, average retirement age, and retirement eligibility. The dashboard also includes a

demographics section that includes head count, age, ethnicity, and gender breakdowns, years of service, and salary information. DCHR presented information about the dashboard and the workforce planning process to the HR community and received valuable feedback in order to begin finalizing a workforce planning toolkit and webpage. We are hoping that the website and resources are available during Q2 of FY2021.

Time-to-Fill: In FY20, DCHR updated its time-to-fill dashboard to add the ability to sort by positions and departments and created a dedicated webpage for this initiative.

- b. What are the agency's top five priorities in FY2021? Please explain how the agency expects to address these priorities in FY2021.

Answer: Please see response below.

Technology Enhancements: In FY21, DCHR will continue to enhance technology by implementing electronic official personnel folders, implementing a customer chat feature, and improving communication methods by creating dedicated SharePoint pages.

Mentoring and Coaching: In FY21, DCHR will increase employee opportunities for coaching and mentoring by introducing an electronic mentoring platform, eMentoring, that will connect mentors and mentees virtually. In addition, DCHR will provide dedicated coaching sessions for managers and leaders across the District.

Improving the Employee Experience: In FY21, DCHR will improve the employee experience by enhancing our current offerings and focus on trauma-informed care and employees' mental, emotional, and financial wellness. In addition, DCHR will examine opportunities to enhance employee benefits such as telework. Finally, DCHR will introduce enhanced customer feedback mechanisms including an enhanced exit interview survey, on-boarding surveys, and a HR community survey.

Career Pathways: In FY21, DCHR will formally launch at least four apprenticeship programs with at least two apprentices in each program. DCHR will also work with District agencies to hire District graduates for entry-level positions. This includes training HR Advisors across the District and marketing/collaborating with high school partners to share entry-level opportunities with current and future District graduates. For more information on Career Pathways, please see the response to Question 1a.

Preparing for a Season of Change: The COVID-19 pandemic has changed the landscape of work and employee perspectives. To ensure managers are equipped for these changes, DCHR will train managers on changing employee needs.

2. Please list each **program** or body of work operated or administered by DCHR during FY2020 and FY2021. Highlight any programs new in FY2020 or FY2021. For each

program, please provide a description of the program, the office that carries out the program, activities in FY2020 and FY2021, and any documented results of the program.

Answer: Please see attachment labeled “02 DCHR Activities and Programs.”

3. Please describe any **initiatives** that the DCHR implemented in FY2020 or FY2021, to date, to improve the internal operations of the agency or the interaction of the agency with external parties. Please describe the results, or expected results, of each initiative.

Answer: Please see response below.

- **Position Description (PD) Library**: The PD library contains standardized position descriptions that can be used by and augmented, as needed, by agencies across the District. The library is accessible to the HR community via DCHR’s Intranet and allows users to search by title, grade, and agency. The library facilitates the use of standardized PDs to eventually reduce the number of similar position descriptions across the District (same position title would have one position description per grade as opposed to multiple i.e. Program Analyst).
- **Electronic Credentialing Request**: Streamlines the employee process to receive new badges by requiring the HR community to complete an electronic form instead of completing a paper form. The process has built-in notifications to employees and the HR community at various stages of the process.
- **Electronic SMART Trip Benefits**: Streamlines the employee process to enroll in union sponsored SMART Trip benefits electronically via DCHR’s website. The process has automated notifications throughout the stages and eliminates the previous paper-based process.
- **Electronic Official Personnel Folder Request**: Streamlines the employee process to request an Official Personnel Folder electronically via DCHR’s website. This eliminates the previous paper-based process.
- **Electronic Police and Fire Retirement and Relief Board (PFRRB) Case Files and Remote Hearings**: DCHR previously converted all PFRRB case files to an electronic format, which enabled DCHR to conduct remote PFRRB hearings this fiscal year. These enhancements ensured that police and fire employees did not experience hearing delays due to the pandemic.
- **Virtual Wellness**: DCHR successfully transitioned to offering virtual wellness programming, including:
 - Webinars and seminars on mental health/mindfulness at home, stress management, nutrition and healthy eating, financial well-being, COVID-19, and trauma incidents;

- Fitness classes, including meditation, yoga, pilates, cardio kickboxing, and boot camp;
- Online social engagement and cooking demonstrations; and
- Health coaching and assessments, including tobacco cessation, diabetes management, disease management, health risk assessments, biometric health screenings promotion, and flu shot immunization promotion.

Forty agencies and 5,500 employees participated in wellness opportunities.

- **Virtual Learning:** DCHR launched over 150 virtual instructor-led courses that attracted over 7,000 participants. Some of the courses included: “Staying Connected: Ten Virtual Communication Tips and Techniques”, “Leaning In: Strategies for Inspiring and Motivating Teams”, “Managing Up for Virtual Team Success”, “Mindfulness and Managing Stress”, “Breathe Easy: An Exercise in Breathing and Meditation”, “Incorporating Emotional Intelligence Concepts into the Virtual Mindset”, “The Five Exemplary Leadership Practices”, “Designing and Delivering Change Management Strategies”, and “Friday Leadership Series Coaching Sessions.”
- **Virtual New Employee Orientation:** In March 2020, DCHR launched its virtual new employee orientation that facilitates new employees receiving the same information they would receive at a normal, in-person orientation for District government employment. New hires were able to complete new hires paperwork via the electronic eOnboarding process in PeopleSoft. DCHR conducts virtual orientation bi-weekly and has done so for over 1,000 new hires, including the contact tracing team.
- **New Hire Employee Page:** Newly hired employees receive a wealth of information during new employee orientation. To provide a central location for any information that new hires may need about benefits, payroll, compensation, etc., DCHR created a [new hire portal](#) on our website.
- **Friday Leadership Series:** In April 2020, DCHR introduced the Friday Leadership Series. This series provides three coaching sessions every other Friday for managers to not only receive guidance from an executive coach, but also learn best practices from other District managers. A maximum of 10 managers can register for each session, providing an intimate environment to share challenges and grow from the experiences of others.
- **Frequently Asked Questions Page:** Annually, DCHR’s customer care and benefits teams receives approximately 50,000 calls through our call center. To improve employee’s access to frequently asked questions, DCHR developed an electronic centralized repository that is available on [DCHR’s website](#). Questions are categorized by Administration and topic area and will be updated quarterly.
- **General Counsels Bi-Weekly Teleconference Meeting:** The DCHR Office of the General Counsel (OGC) initiated bi-weekly or monthly teleconference meetings

with General Counsels from all District government agencies in response to the COVID-19 pandemic. The meetings were held to discuss new and evolving labor and employment issues that appeared because of the pandemic. To date, DCHR's OGC has hosted 20 such teleconferences with attendance by the majority of general counsel offices in the District.

- **PeopleSoft Summit:** DCHR held its first PeopleSoft Summit in December 2020. The Summit gathered HR professionals together to discuss PeopleSoft priorities and host workshops on PeopleSoft security, position management, eRecruit, and data analysis. Participants also played various interactive games to increase PeopleSoft knowledge in a fun way.
- **Employee Appointment Scheduling:** To prepare for DCHR's return to work, we introduced an electronic appointment scheduling platform that allows employees to select the type of assistance and a date/time. The platform integrates DCHR's employee availability and provides notifications to customers to ensure a seamless process.
- **Visitor Feedback Survey:** Prior to the pandemic, DCHR introduced a "Happy or Not" electronic customer feedback survey. Two feedback kiosks with electronic screens were placed in DCHR's customer care and training center to gather customer feedback on their experience. Customers answered five feedback questions by clicking on a set of faces that described their experience. This provided a quick and easy way for DCHR to collect and improve services. DCHR used the kiosks for three months before transitioning to a fully virtual environment. DCHR also has an electronic customer feedback survey that is included in DCHR's employees' email signatures.
- **Sexual Harassment Issuance:** On December 31, 2019, DCHR issued more robust and reader-friendly guidance for Sexual Harassment Officers (SHO) on receiving sexual harassment reports and conducting sexual harassment investigations. This guidance includes templates of investigation-related documents, guidance on steps to be taken and considerations to be made by a SHO during an investigation, guidance on Mayor's Order 2017-313 and industry best practices.
- **Sexual Harassment Officer Engagement and Trainings:** With the hiring of the first ever SHO Program Coordinator, DCHR engaged with and gathered information from all District SHOs throughout 2020 in order to learn about specific areas in which they may need support. The SHOs were given the name and contact information of the SHO Program Coordinator as a resource for them whenever they need assistance, and during 2020, the SHO Program Coordinator met (in person or virtually/telephonically) with nearly every subordinate agency's SHO at least once to provide direct engagement. Throughout 2020, the SHO Program Coordinator has also engaged with SHOs periodically to update the online list of District government SHOs and answer questions that arise.

In early 2020, through the SHO Program Coordinator, DCHR also rolled out a suite of “brown bag trainings” to encourage knowledge sharing and increase the skillset of the District’s SHOs. These interactive, hour-long trainings focused on specific topics relevant to the investigative work of a SHO. The following are the dates, topics, and attendance for the 2020 SHO brown bag trainings:

- “Interview Challenges” (held May 13, 2020): 63 participants
- “The Dos and Don’ts of Writing an Investigative Report” (held August 24, 2020): 82 participants
- “Conducting Investigations in a Remote/Virtual Setting” (held November 5, 2020): 54 participants

Finally, on December 7, 2020, the DCHR SHO Program Coordinator hosted the annual, full-day SHO Investigations Training. Partnering with OHR as well as senior and supervisory level investigators from MPD, OIG and DHS, DCHR provided a robust day of training to approximately 105 participants on such topics as witness interview techniques, the general counsel's role during the investigation process, assessing evidence, and drafting effective investigation reports.

At the conclusion of the training, most attendees rated the annual training very high and DCHR intends to utilize the results from the survey to inform future SHO brown bag training sessions and future Annual Sexual Harassment Trainings.

DCHR has also communicated and worked with the training community to ensure employees complete the online Sexual Harassment Prevention training via Skillport within 30 days of employment and every two years thereafter.

- **Sexual Harassment Prevention Course**: In FY20 alone, 16,808 District employees completed DCHR’s Sexual Harassment Prevention course.

4. Please provide a copy of DCHR’s FY2020 **performance accountability report**.
 - a. Please explain which performance plan strategic objectives and key performance indicators (KPIs) were met or completed in FY2020 and which were not.

Answer: Please see attachment labeled “04 FY20 Performance Accountability Report.”

- b. For any met or completed objective, also note whether they were completed by the project completion date of the objective and/or KPI and within budget. If they were not on time or within budget, please provide an explanation.

Answer: Completed objectives were met by the completion date and within budget.

- c. For any objective not met or completed, please provide an explanation.

Answer: Please see attachment labeled “04 FY20 Performance Accountability Report.”

5. Regarding the DCHR’s FY2021 **performance plan**:
 - a. Please provide a copy of DCHR’s FY2021 performance plan as submitted to the Office of the City Administrator.

Answer: Please see attachment labeled “5A FY21 Performance Plan.”

- b. Discuss any changes to any outcomes measurements in FY2021, including the outcomes to be measured or changes to the targets or goals of outcomes; list each specifically and explain why it was dropped, added, or changed.

Answer: Please see attachment labeled “5B KPI and Workload Measure Changes.”

6. For all **studies, research papers, reports, evaluations, and analyses**, including those provided by contractors or consultants, that DCHR prepared or contracted for during FY2020 and FY2021, as of Jan. 1, 2021:
 - a. For any study, paper, report, or analysis that is complete, please attach a copy.
 - b. For any study, paper, report, or analysis still underway, please provide Report name, author(s), and purpose; expected completion date; purpose and description of contents; and contract number or grant name if the report was produced by a contractor or grantee.

Answer: No formal studies, research papers, reports, evaluations, or analyses were prepared or contracted for during FY2020 or FY2021, to date.

7. Please list and describe any **investigations, audits, or reports by outside entities** that have requested or required participation by the DCHR or any employee that were conducted during FY2020 and FY2021, as of Jan. 1, 2021, or that are ongoing. Also, please provide the URL or *attach copies* of any such document that is not online. Include any routine or ad hoc monitoring, site reviews, desk audits, or other reviews or audits by federal agencies, the Office of the Inspector General, the DC Auditor, or *any other* local or federal governmental entity.

Answer: Please see responses below.

A. Annual Financial Audits: The following annual audits are completed by an independent third-party vendor selected by the Office of the Chief Financial Officer and are in progress for FY20:

1. Comprehensive Annual Financial Report (CAFR): The annual CAFR was conducted by McConnell and Jones, LLP and examines the financial completeness and accuracy of new hire and termination actions within the District. Also examined is the technology used for recruiting and hiring employees (i.e., PeopleSoft). In FY20, the auditors completed all necessary

field work and expressed verbally that all testing was complete and accurate for DCHR. For FY21, fieldwork does not begin until the third quarter of the current fiscal year.

2. Retirement Plan Audit 401(a) and 457(b): F.S. Taylor & Associates is currently conducting the annual audit of the 457(b) Deferred Compensation Plan and the 401(a) Defined Contribution Pension Plan. The Retirement Plan audit examines the operations and assets of the plans, including verifying that employees are enrolled correctly and contributing the correct amounts.

B. FBI Information Technology Audit, Noncriminal Justice Agency Policy Assessment: The FBI Information Technology Audit evaluates MPD and DCHR's compliance with technology requirements relating to the receipt of criminal history information from the FBI's database. This data is used to conduct criminal background checks for District candidates and employees. See attached assessment labeled as "07B FBI Information Technology Audit (2019)."

C. Office of the Inspector General (OIG) Benefits and Paid Family Leave Audit: As defined in the OIG's July 2020 announcement letter (attachment labeled "07C Announcement Letter OIG No. 20-1-25MA -- Audit of DC Employee Benefits Programs"), the OIG began to "evaluate District employee's benefits controls and determine compliance with Federal and District employee benefits policies and procedure." The audit examined the period between October 1, 2019 and June 30, 2020. As part of this audit, OIG also examined employees who applied and received Paid Family Leave, the number of denied applications for this period, the number of hours used by each participant and their salary/hourly pay rate. OIG has not provided a draft report as of Jan.1, 2020.

8. Please list all recommendations identified by the Office of the Inspector General, DC Auditor, or other federal or local oversight entities during FY2019, FY2020, or FY2021, as of Jan. 1, 2021 about DCHR or DC government personnel practices. Please provide an update on what actions have been taken to address each recommendation. If the recommendation has not been implemented, please explain why.

Answer: Please see responses below.

A. FBI Information Technology Audit

- 1. Maintenance of stored FBI data.** DCHR stores received FBI reports on a secure SharePoint server, which OCTO may access. Moreover, our vendor, FieldPrint, stores FBI data for at least 30 days. The FBI noted that specific authorization is required to permit OCTO to have such access and for FieldPrint to store the data. We have several options to come into compliance, which may include either limiting access to DCHR, or using the FieldPrint database exclusively. As it relates to FieldPrint's storage of data, the FBI's report fails to acknowledge that FieldPrint's storage of the data is a

component of the contract, and the contract is incorporated into the FBI's original authorization to DCHR. We are evaluating the FBI's findings in this regard. Either the storage is permissible, or we will seek a formal amendment of the existing authorization.

2. **System Notifications.** The FBI recommended adding required system use notifications to users prior to accessing FBI data. System updates were made to address this concern.
3. **User Account Validation.** The FBI recommended the development of operating procedures that outline how user access is validated and maintained. We have developed a policy in response to the FBI's recommendation.
4. **Encryption Requirements.** The FBI noted that, at the time of the audit, DCHR could not establish that transmitted FBI data was encrypted with at least 128-bit NIST certified encryption. DCHR has moved its criminal background check data to SharePoint online using the Government Cloud Community tenant, which complies with these encryption requirements.

B. Retirement Plan Audit 401(a) and 457(b): As part of its "Retirement Plan Audit" for the District's 401(a) Defined Contribution Pension Plan, F.S. Taylor & Associates notified DCHR that there are 401(a) Plan participants who may not in fact be eligible because they were initially hired prior to October 1, 1987. DCHR is in the process of obtaining and reviewing relevant information about the identified 401(a) Plan participants to determine whether they should be participating in the 401(a) Plan or whether there are any issues that need to be further addressed.

9. Please list all **reports or reporting** currently required of the agency in federal law, the DC Code, or municipal regulations.
 - a. For each report, include
 1. The statutory code or regulatory citation;
 2. Brief description of the requirement;
 3. Any report deadlines;
 4. Most recent submission date; and
 5. A description of whether the agency is in compliance with these requirements, and if not, why not.

Answer: Please see the chart on the next page.

| Report | Statute / Rule | Deadline | Last Filed | Comments |
|---|-------------------------------------|---|---|---|
| Agency Performance Report (to Council) | DC Code § 1-614.13 | January 15 | January 15 | Posted on City Administrator website |
| Agency drug policy compliance report (to City Administrator) | Mayor's Order 2019-081 | None | Not Applicable | Agency polices reviewed we found compliant. An official report will be developed this FY. |
| Annual Leave Bank Accounting (to Council) | 6B DCMR § 1258 | Quarterly | | DCHR will provide in the next quarter |
| Financial Disclosure Statement Report (to BEGA) | 6B DCMR § 1810 | Annually: (1) List of Public and Confidential Financial Disclosure Statement filers – 3/1/20; (2) Notify Confidential filers of their designation – 4/15/20; (3) Confidential Filers' Certification Report – 8/3/2020 ¹ | (1) 2/28/20; (2) 4/15/20; (3) 7/30/20 | Compliant |
| Freedom of Information Act Report (to Mayor) | 1 DCMR § 413 | Annually | 12/14/2020 | Compliant |
| Government Apprenticeships (to Council) | DC Code § 1-610.85 | December 1 | | DCHR will provide this FY |
| Incentive Awards Activity (to Mayor) | 6B DCMR § 1908.3 | Annual | N/A | DCHR will provide this FY |
| Monetary Awards (to Council) | 6B DCMR § 1908.4 | Within 30 days | N/A | Yes / No awards |
| Residency Compliance (to Council) | DC Code § 1-515.06 6B DCMR § 309 | November 30 | In process | DCHR will submit Q2. |
| Resident District Graduate Hiring Audit (to Council) | DC Code § 1-608.01(4)(A) | Annually | N/A | |
| Suitability Activity (to Mayor) | 6B DCMR § 441 | Every 6 months | Oct. 1, 2020 | Compliant |
| Voluntary Leave Transfer Activity | DC Code § 1-612.38 | February 1 | RC23-0170 (03/25/2020) | Compliant |

b. Please attach copies of the reports required under 6B DCMR § 440 (suitability), DC Code § 1-515.06(a) (Residency), and DC Code § 1-608.01(b-1) (Career Pathways)

1. Suitability Report. [Click here to view this report online](#). A PDF of the online report is attachment labeled as “09(b)(1) – Suitability Report FY20H2.”
2. Residency Report. [Click here to view this dynamic report online](#). The report is best viewed online, but we have attached a partial PDF version labeled as “09(b)(2) – Residency Report FY2020.” [NOTE: Due to privacy concerns, we have redacted employee names and agencies in some sets.]
3. Career Pathways. The Pathways to District Government Careers Amendment Act of 2018 (“Act”) requires subordinate agencies to submit to the Mayor an annual report detailing, for each new employee hired into an entry-level job during the reporting period, whether the employee is a resident District graduate. The Act also requires the Mayor to conduct annual audits of each subordinate agency's personnel records to ensure that all persons receiving resident District graduate consideration priority submitted requisite proof of entitlement and submit such audit reports to the Council on an annual basis. As of January 1, 2021, DCHR does not have a new employee resident District graduate report or audit report to provide to the Council. DCHR is currently finalizing the process for accounting for new employee resident District graduates in its Peoplesoft system. DCHR anticipates that it will be able to begin tracking the hiring of new employee resident District graduates beginning in late second quarter of Fiscal Year 2021.

10. Please attach a copy the agency’s **FOIA disclosure report(s)** for FY2019 and FY2020.

Answer: Please see attachments labeled “10A DCHR 2019 FOIA Report” and “10B DCHR 2020 FOIA Report.”

11. Please attach a **log of all FOIA requests** received in FY2020 and FY2021 with the request number, the name of the requestor, the request date, and a brief description of the information requested.

Answer: Please see attachment labeled “11 FOIA Log FY2020 and FY2021.”

¹ Due to the COVID-19 pandemic, BEGA extended the deadline for agencies to submit the Confidential Filers’ Certification Report. Typically, the report is due June 3 of each year, but BEGA extended the deadline to August 3, 2020.

II. Budget and Expenditures

Budget

12. **Budget.** Please *complete the attached table* in Excel showing your agency’s budget, including Council-approved original budget, revised budget (after reprogrammings, etc.), and actual expenditures, by fund source, program and activity, for FY2020 and the first quarter of FY2021. Please also include any over- or under-spending (by more than 10% of approved budget) in each program and activity. Explain the reason for any variation between the revised budget and actual expenditures for FY2020 for each program and activity code, including for under-spending, what the planned spending was for and why the expenditure did not take place.

Answer: Please see attachment labeled “01A PO Template Tables 2021”, and select Tab Q12.

13. Please provide a copy of the detailed FY2021 NPS **spending plan** for each activity and fund in DCHR’s budget.

Answer: Please see attachment labeled “01A PO Template Tables 2021”, and selection Tab Q13.

14. Please provide the following information for all **intra-District memoranda of understanding (MOUs)** for FY2020 and FY2021 as of Jan. 1, 2021, *including anticipated MOUs* for the remainder of FY2021.
- b. *Attach copies* of all intra-district MOUs.
 - c. Please *complete the attached table* in Excel for all MOUs, including anticipated MOUs.

Answer: Please see attachment labeled “01A PO Template Tables 2021”, and selection Tab Q14.

15. Please provide the following information for all **intra-District memoranda of agreement (MOAs)** for FY2020 and FY2021 as of Jan. 1, 2021, including anticipated MOAs for the remainder of FY2021.
- d. *Attach copies* of all intra-district MOAs, other than those for overhead or logistical services, such as routine IT services or security.
 - e. For each MOA, including anticipated MOAs, complete the table below; add rows as necessary.

Answer: Please see the table on the next page.

Memoranda of Agreement, FY2020 and FY2021, including anticipated MOAs

| Description of MOA services or purpose, including name of project or initiative | Names of all agencies party to the agreement | Service period (dates) |
|--|--|------------------------|
| To provide supplemental insurance coverage for participating employees | AFLAC & DCHR | 10/1/2019 - 9/30/2021 |
| To facilitate the District's High School Leadership Institute Program | DCHR, OSSE, DOES | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | Catholic University of America | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | Drexel University | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | Excelsior College | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | Southern New Hampshire University | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | Strayer University | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | Trinity Washington University | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | University of Maryland University College | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | University of Phoenix | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | University of the District of Columbia | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | University of the Potomac | 10/1/2019 - 9/30/2021 |
| To provide District employees with discounted access to University Programs | Walden University | 10/1/2019 - 9/30/2021 |
| To serve as an education partner with the Career Pathways Apprenticeship Program | Strategic Education, Inc. | 10/1/2020 - 9/30/2021 |
| To serve as an education partner with the Career Pathways Apprenticeship Program | University of the District of Columbia | Anticipated |

16. Please *complete the attached table* for each **interagency reprogramming** of funds into and out of the agency for FY2020 and FY2021, as of Jan. 1, 2021, including anticipated inter-agency reprogrammings for the remainder of FY2021.
- f. Please *attach copies* of the reprogramming documents, including the Agency Fiscal Officer's request memos and the attached reprogramming chart.
 - g. For each reprogramming, including anticipated reprogrammings, complete the attached chart in Excel

Answer: DCHR had no interagency reprogrammings in FY20 and FY21, to date.

17. Please *complete the attached table* for each **intra-agency reprogramming** *within* your agency during FY2020 and FY2021, as of Jan. 1, 2021, as well as any anticipated intra-agency reprogrammings for the remainder of FY2021.
- h. Please *attach copies* of any reprogramming documents.
 - i. Please include in the chart a detailed rationale for the reprogramming: why the funds were available and what they will be used for.

Answer: Please see attachment labeled “01A PO Template Tables 2021”, and selection Tab Q17.

18. Please attach all **budget enhancement requests** submitted by your agency to the Mayor or Chief Financial Officer as part of the budget process for previous fiscal years of FY2019, FY2020, and FY2021.

Answer: DCHR works with the Office of the City Administrator to develop its budget. The FY2019, FY2020, and FY2021 budgets submitted by the Mayor to the Council reflects those efforts.

19. For FY2020 and FY2021, please identify any **special purpose revenue funds** maintained by, used by, or available for use by the agency. For each fund identified, provide:
- j. The revenue source name and fund code;
 - k. A description of the program that generates the funds;
 - l. The dollar amount of revenue funds generated annually by each source or program;
 - m. The purpose or use of the funds;
 - n. The fund balance at the end of FY2019, the balance at the end of FY2020, the current fund balance as of Jan. 1, 2021, expected dollar amount of expenditures in FY2021, and the expected balance at the end of FY2021.

Answer: Please see attachment labeled “01A PO Template Tables 2021”, and selection Tab Q19.

Expenditures

20. Please list each **grant, sub-grant, or other types of payments**, such as federal payments, received by your agency in FY2020 and FY2021, as of Jan. 1, 2021. List the following:
- o. Source;
 - p. Purpose;
 - q. Timeframe;
 - r. Dollar amount received;
 - s. Amount expended; and
 - t. Whether the grant is a multi-year grant.

Answer: DCHR has not received any grants, sub-grants, or other type of payments such as federal payments.

21. Please *complete the attached table* in Excel with the following information on each **contract, procurement, and lease** leveraged in FY2020 and FY2021 as of Jan. 1, 2021, with a value amount of \$10,000 or more. “Leveraged” includes any contract, procurement, or lease used by the agency as a new procurement, contract extension, or contract option year execution. This also includes direct payments, if applicable.

Answer: Please see attachment labeled “01A PO Template Tables 2021”, and selection Tab Q21.

22. Please complete the following table with information on all **credit card, p-card, or purchase card purchases and expenditures** for FY2020 and FY2021, as of Jan. 1, 2021; add rows as necessary. Alternatively, you may attach monthly statements with this *same* information; however, please name the ultimate vendor and specific purpose of the purchase for any PayPal or other transaction with an indirect payment service like PayPal.

Answer: Please see attachment labeled “01A PO Template Tables 2021”, and selection Tab Q22.

23. Were any protests or appeals filed with the **Contract Appeals Board** in FY2020 or FY2021 as of Jan. 1, 2021, against or involving your agency? If so, please complete the following table with information on each such protest or appeal; add rows as necessary.

Answer: Please see attachment labeled “01A PO Template Tables 2021”, and selection Tab Q23.

III. Agency Organization and Personnel

24. Please provide an **organizational chart** for the agency, arranged by division and subdivision, as of Jan. 1, 2021.

- u. Show for each division and subdivision:
 - 1. The names and titles of all personnel;
 - 2. Include on the chart and denote as vacant or frozen any such positions;
- v. Note on the chart the date of the information if not Jan. 1, 2021.

Answer: Please see attachment labeled “24 Organizational Chart.”

25. Please *complete the attached table* in Excel with a **chart of all positions (i.e., Schedule A)** at the agency, as of January 1, 2020.

Answer: Please see attachment labeled “01A PO Template Tables 2021”, and select Tab Q25.

26. Please list each **vacant position’s** position number and provide: (1) the date on which it became vacant and (2) the step or status of the hiring process for the position as of Jan. 1, 2021.

Answer: Please see the table below.

| Position Number | Date of Vacancy | Status |
|-----------------|-----------------|--------|
| 00035025 | 8/30/2020 | Frozen |
| 00047200 | 10/30/2019 | Frozen |
| 00044496 | 11/8/2020 | Frozen |
| 00006283 | 8/2/2020 | Frozen |
| 00087396 | 3/19/2020 | Frozen |
| 00097491 | 7/3/2020 | Frozen |

27. Regarding **term and temp employees**:

- w. List each term or temp employee (by position number) included in the schedule A who started in the position in FY2020 or FY2021, other than LEAP interns or Capital City Fellows, and for each, please provide a brief narrative to specify why the hire was done on a term or temp basis and not on a continuing basis.
- x. For each term or temp employee (by position number) included in the schedule A, indicate the start date of the position and the expected end date; and
- y. For each term employee (by position number) employed during FY2020 or FY2021 whose hire date is before FY2017, please explain why the employee is term and has not been converted to a permanent employee.

Answer: For FY20, each hire for a term appointment included in the schedule A was done on that basis because they were hired either for personnel services for MOU-funded positions or were a part of an 18-month fellowship term. Hires in temp appointments were all done through the District Leadership Program, which only selects participants for seasonal appointments (i.e., eight months in the fall, and four months in the summer). For FY21, all term appointments were hired for personnel services via MOU funds.

28. How many and what percentage of total employees at DCHR as of Jan. 1, 2021, were **District residents**?

Answer: 61% (94 of 153 employees)

29. Please complete the following charts about the **residency of new hires** at DCHR in FY2020 and FY2021:

DC Residency of Employees Hired in FY2020

| Position Type | Total Number | Number who are District Residents | Percent of total who are District residents |
|---------------|--------------|-----------------------------------|---|
| Continuing | 0 | N/A | N/A |
| Term | 15 | 8 | 53% |
| Temporary | 35 | 24 | 69% |

DC Residency of Employees Hired in FY 2021, as of Jan. 1, 2021

| Position Type | Total Number | Number who are District Residents | Percent of total who are District residents |
|-------------------|--------------|-----------------------------------|---|
| Continuing | 0 | N/A | N/A |
| Term | 1 | 1 | 100% |
| Temporary | 0 | N/A | N/A |

30. Please complete the following table regarding employees placed on **administrative leave** in FY2020 or FY2021. Specify (column 3) why the employee was placed on leave and note if the leave is a result of discipline or due to an investigation.

Answer: Please see the table on the page below.

Employees on Administrative Leave During FY2020 and FY2021

| Employee's job title | Reason placed on leave; specify if disciplinary or due to investigation | Length of leave | Whether employee was separated | Whether the leave was/is paid or unpaid | Their current status (as of Jan. 1, 2021). |
|---|---|-----------------|--------------------------------|---|--|
| Supervisory HR Specialist | Notice Period | 11 days | Yes | Paid | Separated |
| Supervisory HR Specialist | Investigation | 13 days | Yes | Paid | Separated |
| HR Specialist (Employee Relations) | Investigation | 3 days | No | Paid | Separated |

31. For FY2020 and FY2021, as of Jan. 1, 2021, please complete the following table on each **employee separated** from the agency, at the agency's initiation. Add rows as necessary.

Answer: Please see the table on the next page.

Employees Separated from Agency, FY2020 and FY2021

| Program, Activity, and Job title | Amount of separation pay, if relevant | Number of weeks of separation pay, if relevant | The reason for the separation; specify if it was due to probation, performance, or discipline. Do not state only “separated” |
|--|--|---|---|
| Supv. HR Specialist | \$0 | 0 | Separated |
| Compliance Review Manager | \$0 | 0 | Separated |
| HR Specialist (Employee Relations) | \$0 | 0 | Separated |
| Customer Service Communications Specialist | \$0 | 0 | Separated |
| HR Specialist (Recruitment & Placement) | \$0 | 0 | Separated |
| Management Analyst | \$0 | 0 | Separated |
| HR Assistant | \$0 | 0 | Separated |
| Compliance Specialist | \$0 | 0 | Separated |
| HR Assistant | \$0 | 0 | Separated |

IV. The Coronavirus Pandemic

32. Please provide *for each agency*, including independent agencies, the following data on **COVID-19**:

Answer: The Emergency Operations Center (EOC) tracks the below and provided the below information.

- a. the number of employees who were considered “exposed to COVID-19” (as per Issuance 2020-21);

Answer: Please see the table on the next page, it depicts the average number of employees who are quarantining per week. The Emergency Operations Center (EOC) does not track the total number of employees who have been exposed to COVID-19; instead, it tracks how many employees are quarantining at the time of its twice weekly survey. As a result, the data showing the number of quarantining employees very likely counts many employees more than once.

| Month | Average number of employees in quarantine per week |
|--------|--|
| Mar-20 | 516 |
| Apr-20 | 782 |
| May-20 | 525 |
| Jun-20 | 229 |
| Jul-20 | 281 |
| Aug-20 | 274 |
| Sep-20 | 209 |
| Oct-20 | 187 |
| Nov-20 | 342 |
| Dec-20 | 505 |
| Jan-21 | 515 |

b. the number of employees who were “exposed to COVID-19” at work;

Answer: This detail of data is collected and tracked by DC Health Contact Trace Force. Where there are observed jumps in an agency’s COVID numbers in a week, the EOC will reach out to that agency to discern if transmission has been traced back to the workplace and if so develop operational changes that can be implemented to mitigate future spread.

c. the number of employees who contracted COVID-19;

Answer: As of January 11, 2021, 2,343 District government employees reported having contracted COVID-19 since the onset of the public health emergency. Please see the table below:

| Agency | To your knowledge, how many employees in your agency have tested positive for COVID-19? If none, please put N/A. |
|----------|--|
| DC SBOE | 2 |
| UDC | 7 |
| OCTO | 19 |
| OPC | 3 |
| OCP | 1 |
| DFHV | 5 |
| DPR | 36 |
| PSC | 1 |
| DISB | 3 |
| OUC | 31 |
| HSEMA | 7 |
| ABRA | 3 |
| OSSE | 39 |
| DC Water | 65 |
| OVSJG | 2 |
| OHR | 2 |

| | |
|--|-----|
| DOEE | 8 |
| DYRS | 57 |
| DMV | 22 |
| Corrections Information Council | 1 |
| DFS | 12 |
| OCA | 2 |
| OP | 2 |
| DCPL | 20 |
| OAH | 1 |
| DMPED | 3 |
| CFSA | 39 |
| Contract Appeals Board (AFO) | 2 |
| OSA/OPLA/OFRA/OS | 1 |
| DCPS | 196 |
| DC Health | 43 |
| OCTFME | 2 |
| DDOT | 53 |
| OCME | 5 |
| DCRA | 23 |
| DACL | 5 |
| DPW | 101 |
| OEA | 1 |
| DDS | 19 |
| EOM Cluster agencies | 14 |
| DC Public Charter School Board | 2 |
| DHCF | 4 |
| DCHR | 6 |
| DHS | 51 |
| DC Housing Authority | 59 |
| DBH | 236 |
| DCHFA | 1 |
| DOC | 157 |
| ONSE | 5 |
| FEMS | 329 |
| MPD | 519 |
| DGS | 50 |
| OCFO | 45 |
| DOES | 13 |
| DCHBX | 5 |
| DHCD | 3 |

- d. the number of employees who did contract or likely contracted COVID-19 through exposure at or during work;

Answer: This detail of data is collected and tracked by DC Health Contact Trace Force. Where there are observed jumps in an agency’s COVID numbers in a week, the EOC will reach out to that agency to discern if transmission has been traced back to the workplace and if so develop operational changes that can be implemented to mitigate future spread.

- e. the number of employees who filed a workers’ compensation claim for COVID-19; and

Answer: According to the Office of Risk Management, there have been 74 workers’ compensation claims filed for COVID-19.

- f. the number of employees who died as a result of COVID-19.

Answer: DCHR does not centrally track the number of employees who have passed due to COVID-19. We also do not inquire of the specific nature of an employee passing due to the sensitivity of the matter.

33. Please provide for each agency, including independent agencies, the following information on **leave taken**:

- a. Number of workers taking COVID-related sick leave for self care;
- b. Number of workers taking COVID-related sick leave for care of others;
- c. Number of workers taking COVID-related paid sick leave for child care reasons;
- d. Number of workers taking COVID-related paid FMLA for child care reasons; and
- e. Number of workers taking COVID-related unpaid leave (FMLA or sick leave) for child care reasons.

Answer: Please see attachment labeled “33-COVID Sick Leave Used.”

DCHR collected data on the use of the COVID sick leave time reporting code (TRC). An employee was eligible to use the TRC when the employee (1) was required to quarantine or isolate pursuant to a District, federal, or state order relating to COVID-19; (2) was required to quarantine pursuant to advisement from a health care provider relating to COVID-19; (3) sought a medical diagnosis relating to symptoms consistent with COVID-19; (4) cared for an individual who was subject to a District, federal, or state quarantine or isolation order or advised to self-quarantine by a health care provider, relating to COVID-19; or (5) cared for a child because the child’s school or childcare provider was unavailable due to the COVID-19 emergency. The data, however, was not broken down by each reason identified above.

34. According to Issuance 2020-23, “Agencies with employees who qualify as **health care providers or emergency responders** may extend COVID Sick Leave to their workforce, if operationally feasible.” Please list the agencies that did extend COVID sick leave to health

care employees, list the agencies that did *not* extend COVID sick leave to health care employees, list the agencies that did extend COVID sick leave to emergency responders, and list the agencies that did *not* extend COVID sick leave to emergency responders.

Answer: To our knowledge, all agencies extended COVID-19 Sick Leave to their employees, including health care providers and emergency responders.

35. Please provide *for each agency*:

- a. the total number of employees,
- b. the number of employees who were on **telework**, and
- c. the number of employees who worked in person from the March through December 2020 time period.

Answer: Please see attachment labeled “35 Regular and Telework.” Please note that time reporting for FEMS and MPD uses an additional software that interfaces with PeopleSoft. The spreadsheet contains the information in PeopleSoft as of January 1, 2021.

36. Please provide *for each agency*:

- a. the number of employees who received **hazard pay** (per diem),

Answer: Please see attachment labeled “36-Per Diem by Agency.” Please note employees received a per diem, but not hazard pay. The only employees who received hazard pay are those whose positions were deemed eligible for hazard pay previously.

- b. the total amount of pay, and

Answer: Please see attachment for Question 36(a).

- c. the dates for which hazard pay in that agency was provided.

Answer: Per diem was provided to employees who physically reported to work between March 16 and July 25, 2020.

37. According to Issuance 2020-21, “For the duration of the COVID-19 emergency, DCHR may **suspend any residency requirements** for positions to meet immediate operational needs to provide critical services or support for the COVID-19 emergency. All waivers by DCHR must be in writing and must include the scope and duration of the waiver. Agencies must supply a corresponding notice to the applicable candidate or employee.” Please list all positions for which a waiver was requested, and include the agency, position title, date, whether waiver was granted, purpose of waiver, and copy of any documentation for the request or issuance of a waiver.

Answer. One residency requirement waiver was granted on or about January 21, 2021, for complications arising partly from COVID-19 for a contract specialist

position with OCP. The employee reported difficulty with securing a new apartment in the city due to COVID-19

38. In 2020, District government instituted a **hiring freeze**. Please provide *for each agency*: a list of the specific jobs that were not hired as a result of the freeze and the associated savings (dollar amount).

Answer: We are not able to provide this data. Agencies may not hire for a vacant position for a number of reasons: the hiring freeze, a requirement to keep the position open to achieve vacancy savings, difficulty recruiting, turnover throughout the year, etc. In addition, final FY20 numbers are not available until the FY20 CAFR is released which is set for early February 2021.

V. Hiring and District Residency

A. Implementation of the Pathways to District Government Careers Act

The **Pathways to District Government Careers Amendment Act** of 2018 has three main parts. The first part, section 2(c), (DC Code§ 1–608.01(b-1)) requires that District agencies solicit applications from, interview, and exclusively consider for entry-level jobs **resident District graduates** (of DC high schools) prior to considering other candidates.

39. Please provide a full **update on the implementation** of this section of the law, including any issued or planned regulations or guidance, PeopleSoft or other technological upgrades, strategies to target solicitations to this population, application form updates, communications with agencies’ and their human resources officers regarding these requirements, and any other elements of implementation. Please reference the plan provided in last year’s performance responses (available [here](#) at pp.20-21) and indicate current status and new items, and explained any items planned but not yet achieved.

Answer: In the second quarter of FY20, DCHR began the implementation of the Pathways to District Government Careers Amendment Act of 2018 (“Pathways Act”).

On February 20, 2020, DCHR informed the Human Resources Community about the Pathways Act, and six agencies were identified to initially participate in a “soft” rollout pilot: Fire and EMS Department (FEMS), Metropolitan Police Department (MPD), Department of Public Works (DPW), Office of Unified Communications (OUC), District Department of Transportation (DDOT) and the Office of the State Superintendent of Education-Department of Transportation (OSSE-DOT). The purpose of the “soft” rollout was to learn more about how agencies utilize entry-level positions and their current recruitment process. Conference calls were conducted with the six pilot agencies to orient them to the requirements of the Pathways Act; to prepare agencies for expectations and requirements; to discuss entry-level positions and identify how agencies were currently utilizing entry-level positions; to discuss the “current” recruitment process; to determine a “proposed” recruitment process, including timelines for posting entry-level positions, that follows the Pathways Act; and to provide the collective bargaining status of each entry-level position.

Pilot Agencies:

- a. **FEMS: DCHR partnered with FEMS to promote recruitment efforts for the entry-level cadet position. The FEMS Cadet Program is an entry-level position that focuses on providing training on emergency medical services, fire suppression and enforcing the District’s fire and life safety codes. DCHR conducted three virtual information sessions on June 3, June 16, and October 8, 2020. Students were invited from DCPS and DCPCS. A total of 21 Career Pathways candidates were selected and currently are in training for cadet positions with FEMS. The selected candidates were on-boarded on November 9, 2020.**

- b. MPD: DCHR partnered with MPD to promote recruitment efforts for the entry-level MPD Cadet Program. The program specializes in the recruitment of 17-24 year-old Washingtonians to serve as uniformed civilian employees, while placing them in a queue to become officers. Cadets learn about policing while attending the University of the District of Columbia. DCHR conducted four virtual information sessions for MPD on July 29, August 20, October 7 and November 30, 2020. No further actions were taken due to the coronavirus pandemic.**
- c. DPW: DCHR met with DPW on February 13, 2020. The meeting focused on discussing the entry-level parking enforcement officer position, the design and process for posting the position, the applicant's experience, and the selection and verification process carried out by the agency level HR. No further actions, including the recruitment for the position, were taken because the District government implemented a hiring freeze due to the coronavirus pandemic.**
- d. OUC: DCHR met with OUC on February 24, 2020. The meeting focused on discussing the Pathways Act, building agency buy-in and examining the entry-level position at OUC, Customer Service Representative (formerly referred to as the 311 Call Operator). DCHR assisted with the recommendation and recruitment of one Career Pathways candidate and two District residents (non-District graduates).**
- e. OSSE-DOT: DCHR met with OSSE-DOT on February 13, 2020. The meeting focused on discussing the entry-level bus attendant position, the design and process for posting the position, the applicant's experience, and the selection and verification process carried out by the agency level HR. No further actions, including the recruitment for the position, were taken because the District government implemented a hiring freeze due to the coronavirus pandemic.**
- f. DDOT: DCHR met with the agency on March 5, 2020. The DCHR Director worked with DDOT's leadership to determine which entry-level positions met the Pathways Act's definition of entry-level. DCHR and DDOT collaborated on the recruitment efforts for the entry-level position, Safety Technician (formerly called the School Crossing Guard). DCHR provided 21 Career Pathways candidates, of which five Career Pathways candidates were selected, vetted and ready to be on-boarded. No further actions, including on-boarding the selected candidates, were taken because the District government implemented a hiring freeze due to the coronavirus pandemic.**

PeopleSoft Updates & Issuance

DCHR is finalizing the Career Pathways issuance and it is scheduled to be issued at the end of January 2021. DCHR is also hosting informational sessions with agencies during the last week of January in preparation for the formal program launch at the end of February. Further, the "District Graduate" area of consideration and applicants' ability to filter job postings by this area of consideration were

implemented in the third quarter of FY20. Tracking of high school graduates will be implemented in February 2021.

Career Pathways Engagement with Schools

DCHR developed relationships with DC Public Charter Schools (PCS) and met with each of the schools listed below to share information about the Pathways Act:

- Maya Angelou PCS;
- Friendship Collegiate Academy;
- Richard Wright PCS for Journalism and Media Arts;
- Cesar Chavez PCS for Public Policy;
- Washington Leadership Academy PCS;
- Idea PCS;
- Kipp PCS;
- Basis DC PCS;
- Paul PCS; and
- E.L. Haynes PCS.

In addition, DCHR participated in career fairs (in-person and virtually) with the following schools to promote vacant, entry-level positions:

Charter Schools

- Attended and presented at Richard Wright PCS for Journalism and Media Arts career fair on February 12, 2020.
- Attended and presented at Cesar Chavez PCS for Public Policy career fair on February 26, 2020.
- Attended and presented at Richard Wright PCS for Journalism and Media Arts Business Round Table on February 27, 2020.
- Attended and presented at Maya Angelou PCS career fair on April 10, 2020.
- Meet with Washington Leadership Academy PCS to promote Career Pathways initiative on March 5, 2020.

DCPS Schools

- Attended and presented at Phelps Architecture, Construction and Engineering High School career fair on November 13, 2019.
- Attended and presented at Roosevelt High School career fair on November 14, 2019.
- Attended and presented at Roosevelt STAY High School career fair on December 10, 2020.
- Attended and presented at Ballou High School virtual career fair on September 30, 2020.

Adult Education Providers

- **Met with Casa Ruby to promote the Career Pathways initiative on December 10, 2019.**
- **Met with Skyland Workforce to promote Career Pathways initiative on February 20, 2020.**

40. The law requires that each subordinate agency head **submit quarterly reports** to the Mayor and Council detailing “the names of all new employees and their pay schedules, titles, and place of residence and whether, for entry-level positions, the new employee is a resident District graduate.” The Council has not received any reports. Please explain why and when the reports will begin to be generated.

Answer: DCHR collaborated with agencies across the District and with OCTO to finalize the Career Pathways issuance and technical updates. Final PeopleSoft updates should be complete in February 2021. DCHR expects to submit reports to the Council after this date.

41. The law also requires that the Mayor integrate into each subordinate agency's yearly **performance objectives** the rate of success in hiring District residents and resident District graduates. DCHR's 2020 performance responses said they had included hiring of District residents in the FY2020 plans but were working with OCTO to implement District graduates in PeopleSoft. Has this been implemented for FY2021? If not, when will it be?

Answer: The Office of the City Administrator continues to track each agency's success in hiring District residents. DCHR expects to begin tracking the hiring of District graduates at the end of February 2021.

42. The law requires that the Mayor conduct **annual audits** of each subordinate agency's personnel records to ensure that persons receiving the priority job consideration for resident District graduates submitted required proof of entitlement. Those audit reports are to be submitted annually to the Council. Please describe how DCHR has implemented this requirement. Specifically:

- a. Last year DCHR indicated it would develop materials for other agencies in early calendar year 2020. Has this been completed? Please describe the implementation activities and status and attach any materials.

Answer: DCHR distributed agency guidance for the process to recruit entry-level positions as defined by the Pathways Act at the end of January 2021. The guidance provides an overview of the legislation; eligibility requirements; the process for agencies to follow to provide priority consideration for resident District graduates for entry level positions; and the process for participants to apply for an entry-level position and the documentation that is required.

In January, DCHR also conducted agency level meetings to further explain the requirements of the Career Pathways program and learn about each agency's current

recruitment strategies. During the second quarter of FY21, all entry-level positions will be posted and recruited using the Career Pathways process. Once recruitment efforts begin for entry-level positions, the annual audit report will be submitted at the close of FY21.

- b. Last year DCHR stated it hoped to issue the first audit report at the close to FY2020. Has this been completed? If not, what is the timeline to do start and to complete? What activities are anticipated?

Answer: DCHR plans to submit the first audit report at the close of FY21.

43. The second part of the Pathways Act requires that DCHR establish **partnerships with District high schools** to foster the hiring of more resident District graduates into District government employment. (DC Code § 1–604.02a). The specifics of the partnerships are at the discretion of DCHR. Last year DCHR indicated that the parameters were being explored but were not yet developed or finalized. Please provide a list of partnering high schools and an update on what activities DCHR has undertaken or plans to undertake, to establish and operate these partnerships.

Answer: In FY20, DCHR built great relationships with our educational partners. Our initial meeting with DCPS occurred in March 2020 and focused on the Pathways Act and the six agencies that were identified to initially participate in the soft rollout pilot. During our discussion, we focused on ways to partner and provide support for students by conducting mock interviews and résumé development assistance. In addition, DCPS students were invited to participate in all of the DCHR information sessions. From an administrative perspective, ongoing meetings were conducted with DCPS to discuss and develop a process for DCHR to confirm high school graduate credentials (i.e., diploma).

DCHR also met monthly with the DCPS Careers and Technical Education (CTE) team. Meetings were focused on establishing continuous ways to partner. DCHR invited DCPS “soon-to-be” graduates to all entry-level position information sessions as well as apprenticeship positions. This provided an opportunity for DCPS students to learn about current entry-level recruitments for MPD and FEMS Cadet Programs. DCHR participated in various high school level career fairs (as described in detail for question 39) and assisted the DCPS-CTE team with conducting mock interviews for students providing practice for the interview process.

44. The final part of this law requires DCHR to work with the Department of Employment Services to establish 5 **apprenticeships across DC government**, including at least 1 in health care and 1 in IT. DCHR reported that it planned four apprenticeships in 2020, with each starting in September 2020.² Please provide a full update on the progress of the program and of the apprentices, and discuss any impact that the public health emergency and/or telework had on the program. Please discuss the apprenticeship program registration, hiring status, apprenticeship operations (on-the-job training, classroom training, mentoring). Please provide an updated work plan.

Answer: DCHR and the Department of Employment Services, Office of Apprenticeship, Information and Training established four apprenticeship programs approved by the District Apprenticeship Council: Information Technology, Medical Billing and Coding, Information Technology for Graduating Seniors, and Human Resources. The coronavirus pandemic slowed DCHR’s efforts with developing a fifth apprenticeship program. Each apprenticeship program is aligned to the occupational standards and consists of both related instruction, on-the-job learning, and mentoring.

Please see attachment labeled “44-Career Pathways Work Plan” for an outline of the hiring and onboarding of apprentices.

B. Implementation of the District Government Employee Residency Amendment Act

The **District Government Employee Residency Amendment Act** of 2018 (Law 22-315, effective May 23, 2019; D.C. Code § 1-515.01 through 515.08 and conforming amendments) will improve and strengthen requirements for and verification of District residency for District government employees.

45. Please provide a full **update and timeline for the implementation** of this law, including
- Status and timeline of the DMV-DCHR data exchange
 - Status and timeline of any regulations to be issued

Answer. Integration has been put on hold pending DMV software upgrades. Once those updates are completed, we will re-engage with DMV to implement the data exchange. In the meantime, we found short-term solutions, which include gather licensing or ID information that can be manually verified online.

In terms of regulations, The Director of DCHR published [final rules on January 31, 2020](#). Associated guidance was published on our website as [Issuance 2020-3, Residency](#).

46. Please describe the status of implementing DC Code § 515.04(b), requiring the Mayor to **verify compliance** with residency requirements for hires who took preference points (as per § 515.02) or employees in positions that require DC residency (as per § 515.03). In

² DCHR, “Career Pathways Apprenticeship Program Implementation Plan,” July 2020, pp. 12-13.

2020 responses, DCHR said it tested a new audit process with 6 agencies. Are all agencies now using this audit process? Please provide a copy of results.

Answer. DCHR expanded its existing residency audit process in FY20 to include all agencies and independent agencies. With this new process, DCHR requested agencies to gather the driver's or identification license of employees subject to residency requirement. Upon receiving this information, DCHR is uploading this data into PeopleSoft. Additionally, DCHR requested these employees to complete and acknowledge the updated Form 300 to ensure awareness of the updated rules. While there were delays in receiving the information due to the pandemic, DCHR is working to compile this information and identify any employees who need to be further review.

47. Has DCHR fully implemented the **change in documentation required** to prove residency, such that no agencies still require 8 paper proofs and all agencies require proof that an individual has a driver's license or non-driver identification issued by the DMV and that the District government will deduct and withhold District income tax from wages? Has DCHR informed all human resources officials, including independent agencies, of this change? How has DCHR verified that the new proofs are now used by every agency?

Answer. Yes. As noted above, on January 31, 2020, DCHR published final rules and an accompanying issuance detailing the changes in residency. DCHR notified agencies of this change electronically and through Human Resource Advisory meetings. Candidates and new employees are notified of the requirement through their offer letter and the updated Form 300. Additionally, DCHR's Human Resource Solutions Administration (HRSA) currently accepts valid driver licenses for onboarding employees. If an agency provides additional documents, HRSA reminds them of the new requirements.

48. If the report required pursuant to D.C. Code section §1-515.06(a), has not been submitted by Dec. 1, as required, please provide a full explanation as to why.

Answer. The report is being provided along with these responses and will be filed with the Council in the coming weeks. (Please see the report as provided in response to question #9.)

C. Study of Transgender and non-binary employment

49. D.C. Code § 1-607.62, passed as part of the Budget Support Act of 2020 requires a study of transgender and non-binary employment in DC government. Please provide the plan and status for implementation of this study.

Answer: Please see attachment labeled "49 Transgender & Non-Binary Study Milestone Plan."

D. Training and internships

50. Please provide a summary of activities in FY2020 and FY2021 regarding the **High School Internship Program** or similar program, including number of participants, agencies where they interned, how DCHR tracks and measures outcomes of the program, and results for such measurements.

Answer: The High School Leadership Institute (HSLI) provides a direct link for District of Columbia High School students to meaningful work experiences that will build on their current classroom instruction while providing them with an opportunity to interact with a host of professionals who will support their growth and development. The program also serves to showcase career opportunities in District government and build a pipeline of talented students who will consider the District of Columbia government as an employer of choice while in college and after they graduate and / or earn certifications.

During FY20, the program received 28 applications and supported 14 (50%) interns through the transition of in-person academic and internship experience, to that of virtual modality. Of the 14 interns, 12 (86%) participants representing seven high schools completed the program. The program functioned without interruption through the Marion S. Barry Summer Youth Employment Program (MBSYEP) with 10 of its 12 participants.

The High School Leadership Institute interns supported eight District agencies to include the Department of Health, Department of Forensic Sciences, District Department of Transportation, Office of Contracting and Procurement, Department of Parks and Recreation, Office of the Chief Technology Officer, and the Department of Human Resources. Of the 12 students who completed the program; the three high school juniors are rising seniors. The other nine seniors applied to attend college and were all accepted. Of the nine who were ready to attend college in September, one decided to conduct a gap year due to the pandemic. Our HSLI interns were offered admission to the following institutions: University of Pittsburgh, SUNY at Oswego, Georgia State University, New York University, University of Pennsylvania, and Spelman College.

HSLI Participating High Schools

| PARTICIPATING HIGH SCHOOLS: | NUMBER OF STUDENTS PER SCHOOL: |
|--------------------------------------|---------------------------------------|
| Banneker High School | 2 |
| Ron Brown College Prep | 1 |
| Duke Ellington School of the Arts | 1 |
| Capital City Public Charter School | 5 |
| McKinley Technology High School | 2 |
| Friendship Collegiate Public Charter | 2 |
| Cesar Chavez Public Charter | 1 |

In FY21, DCHR launched The In-School Youth Leadership program which is an experiential hands-on and practical program for District of Columbia Residents between the ages of 16 to 21 who are enrolled in either a District of Columbia high school or a Post-Secondary Educational Institution such as a college or university. Similar to HSLI, interns are paired with a host agency where they will receive meaningful work experience as well as a career mentor who will meet with them virtually to provide ongoing support from program beginning to end. The In-School Youth Leadership Program is also intended to:

- Support academic retention and success;**
- Provide additional out of school resources for youth in this current moment;**
- Prepare the high school students for an informed transition to post-secondary education and or employment; and**
- Prepare the college students intentionally for eventual employment.**

As part of the In-School Youth Leadership program, DCHR received 21 applications and will select up to 16 participants. The program will serve six high school students and eight to 10 college students. The In-School Youth Leadership Orientation will take place the week of January 18th and begin formally January 19th. The program timeline is January 18th to June 4th with the anticipation of transitioning all participants to MBSYEP.

Job Skills Services for Residents

Since FY19, in collaboration with the District of Columbia Public Library (DCPL), DCHR has offered a series of job skills sessions for residents within the DCPL Library Express Adult Learning Center at Farragut North. These sessions have featured Resume Writing, Interviewing Skills, Job search 101, and understanding how to navigate the District Government application process.

DCHR also partnered with many District agencies to provide classes in locations that are a great deal more accessible and convenient for residents. We have offered bi-lingual classes to customers of Mayor's Office on Latino Affairs (MOLA) at the Reeves Center and provided similar classes at Department of Aging and Community Living, Office of Returning Citizens, Office of Returning Citizens Affairs (ORCA), Department of Parks and Recreation, and the Department of Employment Services.

Since June 2020, DCHR has offered the job skills sessions virtually. The sessions are co-hosted with DCPL and their Office for Partnerships and Programs. In the 2nd Quarter of FY21, we will continue to provide these sessions to District residents every 3rd Wednesday of the month.

E. Data on DC resident hiring and employees

51. What efforts, if any, has DCHR undertaken to **increase hiring of District residents** into District government employment in FY2020 and what are the agency's plans in FY2021? Have the efforts been successful? Why or why not?

Answer: In FY20, 55% of new hires were District residents, a 5% increase from FY19. This increase can be contributed, in part, to partnerships with agencies such as the Department of Health (DC Health), the Departments of Parks and Recreation, the Department of Public Works, and the Department of Employment Services to focus on hiring District residents. For example, DCHR partnered with DC Health to prioritize the hiring of District residents for contact trace positions. This effort resulted in the hiring of 99% District residents to serve as contact tracers. DCHR also implemented a residency requirement for all newly hired or rehired employees with a salary of \$150,000 or more. This increased the percent of District residents hired at a Grade 15 or above from 31% in FY19 to 42% in FY20.

52. For data as of Jan. 1, 2021, please *complete the attached table* in Excel with the following information for each District government agency, including independent agencies and instrumentalities: the current total number of all employees within the agency, the number of employees residing in DC within the agency, the **percentage of employees residing in DC** among all employees, and the number and percentage of DC residents within each of the following groups:

- Group 1 Career Service, Competitive positions Grades 9 or below;
- Group 2 Career Service, Non-Competitive (term or temporary) positions Grades 9 or below;
- Group 3 Career Service, Competitive positions, Grades 10 and above;
- Group 4 Career Service, Non-Competitive (term or temporary) positions Grades 10 and above;
- Group 5 Management and Supervisory Service positions;
- Group 6 Legal Service positions;
- Group 7 Excepted Service positions;
- Group 8 Executive Service positions; and
- Group 9 Educational Service positions

Answer: Please see attachment labeled “01A DCHR PO Template Tables 2021” and select Tab Q52. Please note, grades with letters such as 1B, 1C, and 1D at the Fire and Emergency Medical Services Department were not included.

53. Please provide the following information regarding applications and hiring related to **residency preference points** in FY2020 and separately in FY2021, as of Jan. 1, 2021. Please provide the data for each agency, including independent agencies and instrumentalities.
- a. Total number of applicants to open positions;
 - b. Number of applicants who were District residents;

- c. Number of applicants who claimed residency preference points in their applications;
- d. Total number of new hires
- e. Number of new hires who were District residents;
- f. Number of new hires who received residency preference points;
- g. Number of entry-level jobs (as defined by the Pathways to District Government Careers Act);
- h. Number of applicants who applied as a resident District graduate for an entry-level job;
- i. Number of entry level job hires who were resident District graduates; and
- j. Number of entry level job hires who were District residents.

Answer: Please see attachment labeled “53 Applicant Count.” Please note, not all agencies use PeopleSoft eRecruit. In addition, not all jobs are posted in eRecruit. District graduates will be tracked in PeopleSoft beginning February 2020.

54. If the **report regarding residency of new hires** required under DC Code §1-515.06(a) is not attached with Question 9, please list each District agency, including independent agencies and instrumentalities, and for each agency, provide the following data for hires in FY2020 and FY2021:
- a. the name, position title, pay schedule, and description of hardship circumstances of any employee who received or had a waiver of residency requirements; and
 - b. the name, position title, and action taken with the reason for action taken, if any, of any incumbent employee who failed to maintain residency as required under any law.

Answer: Please see attachment labeled “09(B)(2) Residency Report FY20.” We have supplied the requested information but have used employee initials and, in some cases, partially masked the position title due to privacy concerns. Please contact us directly if additional details are needed.

VI. Employment and Work Conditions

55. DCHR has determined that some employees have been over- and under-charged premiums for both **short-term and long-term disability insurance** over a period of years. Please provide the following information:
- a. Please attach a copy of any review, study, actuarial analysis, or other document analyzing the problem or making recommendations for correction.

Answer: Due to its confidential nature and pending refund claim, reports and analysis will be provided when possible.

- b. Please explain what occurred (i.e. what caused the erroneous premium charges and the impacts on premium rates), the time period during which the problem occurred, and the date the problem was corrected.

Answer: In July 2018, DCHR received an inquiry from an employee who believed the premium calculations for Short-Term and Long-Term Disability (STD and LTD) insurance were incorrect. Upon investigating this issue, DCHR determined that STD and LTD insurance premium amounts were incorrectly calculated for employees who earned over \$90,000 per year, resulting in these employees overpaying for coverage.

The premium calculation for STD and LTD insurance is supposed to factor in an employee's salary up to \$90,000 per year (or \$7,500 per month). DCHR believes that the overpayments occurred due to an error in applying the earnings cap when calculating the premium amounts. DCHR believes overpayments may date back as far as September 30, 2007.

DCHR took immediate and appropriate steps to correct the overpayment issue. The PeopleSoft system calculations for Short-Term and Long-Term Disability insurance premiums was updated to include a cap on premium amounts for individuals making over \$90,000 per year.

- c. Please lay out a plan for complete correction of this problem, including timing of notification to affected employees; the status of recovering this money from Standard insurance company; and whether and when refunds will be provided to employees who overpaid.

Answer: DCHR and OCP have come to an agreement regarding the time period for which overpayments occurred. We are coordinating with Standard, the District's STD and LTD vendor, to finalize the data review by both parties and come to agreement and identify the best approach for reconciling over/under payments and any subsequent refund or reimbursement to the District.

- d. Please provide a detailed breakdown of affected employees: the number of current employees overcharged and the number undercharged, and the number of past employees overcharged and the number undercharged.

Answer: Due to its confidential nature and pending refund claim, reports and analysis will be provided when possible.

- e. Please provide the following on the dollar amount of erroneous premiums: for each year, the total money overpaid to Standard, the total money underpaid, the average per-person annual dollar amount that employees overpaid, and the average per person underpaid.

Answer: Due to its confidential nature and pending refund claim, reports and analysis will be provided when possible.

- f. Will any employees be required or requested to pay for underpaid premiums?

Answer: As part of the ongoing conversations and coordination with Standard, we are evaluating whether individuals may have underpaid for Short-Term and/or Long-Term Disability insurance. Based on DCHR’s review, the individuals identified by Standard only appear to have underpaid because they received salary increases, aged into a different premium category after the beginning of the year, or were on leave without pay status. DCHR’s position is that these salary and/or age increases did not actually result in underpayments because DCHR’s long-standing practice for STD and LTD insurance with Standard has been to adjust premiums for salary and age increases only at the beginning of each year. Thus, any salary or age increase that occurred after January 1 of any given year should not be reflected in the premium an employee pays until January 1 of the following year. For those individuals who are determined to be in arrears, they repay for the arrears period when they return to pay status.

56. For FY2020 and FY2021, as of Jan. 1, 2021, please attach a searchable chart in Excel with the following information on **complaints or grievances filed** or reported to DCHR regarding the District government’s hiring process and hiring practices, work conditions, or any other matter.

- a. Please include the employing/hiring agency of the complainant, the type of complaint filed, whether the complainant was an employee or applicant, the date of complaint filing, the nature of the allegations alleged (e.g. hiring process, discrimination, sexual harassment, etc.), any steps taken to resolve the case and by whom/which agency, and the status of the case as of Jan. 1, 2021.

Answer: Please see attachment labeled “56 Complaints and Grievances, FY20 and FY21.”

57. DCHR has been working to implement the **Mayor’s order on sexual harassment**. Please describe any accomplishments of the new **sexual harassment coordinator**, new in FY2020, to date.

Answer: Please see response to Question 3.

58. A recent report from the DC Auditor covering FY17-FY2019 (March) states that \$1,4463,447 was paid from the **Settlements and Judgments Fund** on behalf of DCHR, but on behalf of other agencies.³ Please explain DCHR’s role in negotiating these settlements. Second, please also provide an itemized list of each settlement included in this \$1.4 million, as well as any subsequent settlement (through Jan. 1, 2021), and include:

- a. The parties’ names, including agency name

³ DC Auditor, “December 7, 2020D.C. Lacked Unified System to Track, Reduce Settlements & Judgments,” Dec 5, 2020, p. 15 and 17 (chart), available at <https://zd4l62ki6k620lqb52h9ldm1-wpengine.netdna-ssl.com/wp-content/uploads/2020/12/Settlements.Judgments.Report.12.7.20.pdf>.

- b. The date the underlying claim was filed;
- c. The date the settlement was executed;
- d. The dollar amount of the settlement and time period over which it was/will be paid;
- e. Non-financial terms required of any party, such as rescission of discipline, waiver of future claims, etc.;
- f. If related to litigation, court where claim was initially filed, case docket number, and a description of the allegations; or
- g. If unrelated to litigation, please describe the underlying dispute (e.g. administrative complaint related to sexual harassment, etc.).

Answer: DCHR does not have any role in negotiating any other agency's settlement agreements. DCHR's only involvement with other agencies' settlements involves assisting agencies, when asked, with reviewing specific benefits or HR-related provisions within agreements to insure compliance with HR practices and assisting with implementing the HR-related terms of settlement agreements, such as conducting the administrative processing of reinstatements, changes to personnel files, retro pays, and backpay requirements. DCHR's involvement with other agencies' settlement agreements mainly only occurs after the settlement agreement has been negotiated and executed by the agency and employee. As such, DCHR has provided an itemized list of each of its own settlement agreements entered into with a party, totaling \$115,947, which is significantly less than the \$1.4 million dollar figure provided in the DC Auditor report. Please see the table provided in response to Question 65.

59. Please provide a full accounting and status update of the **tax withholding errors** in employee paychecks that DCHR discovered in 2017.
- a. Attach a copy of the KPMG analysis and any other study analyzing the problem or making recommendations.

Answer: DCHR did not receive a report from KPMG in FY2020.

- b. Provide details on the number of affected employees, past and present, and status of rectifying their tax payments.

Answer: As of January 1, 2021, DCHR is aware of 2,116 active and inactive employees with errors. The majority of employees with tax over-payments have received refunds, if they consented to receive a refund. DCHR is collaborating with relevant federal partners to rectify the tax records of the employees who underpaid taxes.

- c. Attach a copy of any agreement with the IRS.

Answer: DCHR has had conversations with the IRS, but the IRS has not issued an agreement.

- d. Provide a full status update on what has been accomplished and what more there is to do to fully resolve this issue, including refund checks issued to employees, any funds DC owes or paid to the federal government, and any other information.

Answer: DCHR sent Federal Insurance Contributions Act (FICA) overpayment letters to employees impacted between tax years 2014-2019 in the fall and winter of 2019. In collaboration with the Office of Payroll and Retirement Services, in the spring of 2020 DCHR issued 67 checks to active and inactive employees who consented to receive their FICA overpayments. An additional 22 employees are owed a FICA overpayment. DCHR is working with our vendor to determine the amounts owed to these employees and hopes to have checks to these employees in Q2 of FY2021.

DCHR is working with corresponding federal partners to resolve the crediting of employees' records who underpaid FICA.

VII. DCHR Operations

60. For FY2020 and FY2021, to date, please provide the Committee with a list of **upgrades to the PeopleSoft system.**

- a. For each upgrade project, please include a brief explanation of the upgrade and its purpose including which functionalities were or will be changed and how; the date when the upgrade began; the date that the upgrade was completed or the expected date of completion (whichever is applicable), if there is a contract, the contract number and contractor name state if OCTO is performing the work; and the expenditures (total expected and actual so far). If an upgrade has been delayed, please state the reason for the delay.

Answer: The below PeopleSoft enhancements were completed in FY20 and thus far in FY21:

- **Employee Self-Verification:** Allows employees to generate an employee verification (similar to a training transcript) via employee self-service. This facilitates quicker access for employees to verify employment for loan purposes.
- **ePerformance and Time and Labor Delegation:** Allows managers to delegate ePerformance and time and labor (overtime, time, absence requests) approvals to another manager who reports to the same manager. The process facilitates employee approvals when a manager is absent.
- **ePerformance Automated New Plan Creation:** For the FY20 performance cycle, PeopleSoft automatically created draft performance plans for all employees so that managers did not manually have to create plans.
- **Suitability Designations:** Ensures the identification, tracking, and ability to report on various suitability designations, i.e. safety sensitive employees which facilitates the below acknowledgment.

- **Marijuana Tile for Safety Sensitive Employees:** PeopleSoft now displays a tile in employee-self-service for all safety sensitive employees that allows electronic notification and employee acknowledgment of the medical marijuana policy.
 - **Password Reset Enhancement:** When employees forget their password, PeopleSoft now verifies that the employees email addresses where the password reset will be sent. This ensures that employees receive password reset email to the correct email address.
 - **eOnboarding Enhancements:** In late FY19, employee eOnboarding was implemented in PeopleSoft. During FY20, enhancements were made to ensure new applicants completed electronic new-hire “paperwork” before the first day of employment. Enhancements were also made to the electronic I-9.
 - **eRecruit Enhancements:** Multiple eRecruit enhancements were released in FY20 including: updated applicant notification emails, updated disposition reasons, and streamlined application process (removal of unneeded questions).
 - **Veteran’s Recruitment Website:** In November 2019, a dedicated Veteran’s website was launched that allows veterans to apply for specific job categories and be considered for Grade 12 and below opportunities as a direct hire.
 - **COVID-19 Enhancements:** The pandemic shifted the priorities of the PeopleSoft team. The team quickly adjusted to release: COVID-19 activity tracking, COVID sick leave Time Reporting Codes, employee per diem payments, time-off award granting, telework and COVID activity dashboards in MicroStrategy, and contact trace training implementation.
 - **PeopleSoft Employee Emails:** To facilitate a staggered employee release of Vision Zero training, email employees were sent to specific agencies through PeopleSoft.
 - **Aflac Employee Enrollment:** Employees are now able to enroll in Aflac via PeopleSoft. This replaces a previous manual process.
 - **Union Employee Enrollment in Non-District Benefits:** OCTO is completing a pilot program with DCPS to allow employee enrollment and changes of union sponsored health benefits. This automated a current manual process. Once the pilot is complete, DCHR and OCTO will determine if this process can be used with union employees outside of DCPS.
 - **On-call Pay:** Allows designation of positions that qualify for on-call pay. Facilitates more accurate tracking on these specific positions.
- b. Please be sure to include the upgrades necessary to implement Section 2(c) of the Pathways to District Government Careers Amendment Act of 2018, which requires that District agencies solicit applications from, interview, and exclusively consider for entry-level jobs resident District graduates (of DC high schools) prior to considering other candidates.

Answer: A specific area of consideration entitled “District Graduate” was added in PeopleSoft during FY20. The needed screening questions and associated recruiter screens will be updated in February 2021.

61. Please provide an update on activities in FY2020 and FY2021 continuing the process of implementing a **shared services delivery** model and any data capturing their results.

Answer: DCHR finalized centralized processing for agencies under DCHR’s personnel authority and processed over 9,300 personnel actions in FY20. DCHR also finalized a bi-weekly quality assurance that reviews personnel actions processed in the last two weeks to ensure accuracy in multiple fields including: retirement coding, not to exceed dates, appointment types, Fair Labor Standards Act coding, and within-grade dates. Additional data fields are added to this automated quality assurance process on a quarterly basis. Further, DCHR launched the Human Resources Certification program to ensure consistency in the application of HR policies and regulations.

VIII. Complaints and Disputes

62. Please list in chronological order any **grievances filed by labor unions** against DCHR or any employee of DCHR in FY2020, or FY2021, as of Jan. 1, 2021. Include on the list any earlier grievance that is still pending in any forum. Also include any grievances filed by unions that involves a current employee of the agency related to a matter that arose at previous District government employment of the employee at another agency. For each grievance:

- a. Provide the union name and local number, a brief description of the matter, and the current status.
- b. Describe the response to each complaint or grievance and any change to agency policies or procedures as a result.
- c. For any complaint or grievance that was resolved in FY2020 or FY2021, as of Jan. 1, 2021, describe the resolution or outcome.

Answer: Please see the table on the next page.

| GRIEVANCE | RESPONSE | RESOLUTION |
|--|--|--|
| Fraternal Order of Police- Department of Youth Rehabilitation Services Labor Committee filed a union class grievance with DYRS and DCHR requesting environmental hazard pay and administrative closure pay. | DCHR denied the request because the positions submitted for consideration did not qualify for environmental premium because potential exposure to COVID-19 could be sufficiently mitigated with the proper use of personal protective equipment (PPE) and other preventative measures and because the hazardous duties have been accounted for in the classification and compensation of the position. | The grievance has been escalated pursuant to the Collective Bargaining Agreement. |
| American Federation of Government Employees Local 383 filed a union class grievance with DYRS and DCHR requesting environmental/hazard pay. | DCHR denied the request because the positions submitted for consideration did not qualify for environmental premium because potential exposure to COVID-19 could be sufficiently mitigated with the proper use of personal protective equipment (PPE) and other preventative measures that the agency was taking. | The grievance has been escalated pursuant to the Collective Bargaining Agreement. |
| DYRS-FOP filed a grievance on behalf of one of its union members, who was separated for testing positive for marijuana while occupying a safety-sensitive position. | DCHR denied the grievance and sustained the termination because the employee failed to produce a valid DOH Medical Marijuana Program (MMP) Cannabis Card at the appropriate time. | The employee’s separation was not overturned. The employee did not return to DYRS. |

63. Please list in chronological order any other (non-union) **grievances or complaints against or regarding DCHR or any of its personnel, filed by any District government employee**, that were filed or pending in FY2020 or FY2021. Include complaints filed in any forum, including with other District agencies; complaints on any matter, including human resources, personnel, sexual harassment, financial, or other matters; and complaints filed against a current agency employee related to their employment at the agency, or related to any previous employment at another District agency. Include on the list any earlier grievance that is still pending in any forum, including review by another District agency. For each grievance or complaint:

- a. Provide the agency name and office of the complainant at the time the matter occurred.
- b. Provide the name of the forum or agency to which the complaint was filed.
- c. Provide the name of the forum or agency to which a complaint was referred by the original, receiving forum or agency.
- d. Specify if the complaint concerns a direct colleague or supervisor of the complainant.
- e. Provide a brief description of the matter and the current status.

- f. Describe the response to the complaint or grievance, including any disciplinary action taken, employees transferred to a different role, or any changes to agency policies or procedures.
- g. For any complaint or grievance that was resolved in FY2020 or FY2021, to date, describe the resolution or outcome.

Answer: Please see table below.

| Agency / Office of Complainant | Forum | Colleague or Supervisor? | Description | Current Status | Response | Outcome |
|--------------------------------|---------------------------|--------------------------|---|--|---|---|
| DCHR | OHR | Supervisor | Sexual harassment/ discrimination/ retaliation (2 charges filed) | OHR investigation pending | DCHR disagrees with the merits of the complaint; responded in position statement and to production requests | OHR investigation pending |
| DCHR, DISB | ORM | Agency | Then-current employee filed notice of tort claim with ORM alleging unlawful conduct by agencies | Closed – ORM issued a denial notice on 2/13/20 | DCHR disagreed with the merits of the complaint | Closed – ORM issued a denial notice on 2/13/20 |
| DCHR | Sexual Harassment Officer | Colleague | Employee alleged inappropriate statements and hand gestures by co-worker. | Closed | Based on DCHR SHO investigation, DCH found the allegations unsubstantiated. | Agency Findings and Conclusions issued 11/22/2019 |
| DCHR | Department of Labor VETS | Agency | Former employee alleged noncompliance with USERRA | Closed | DCHR disagreed with the merits of the complaint; responded in position statement and to production requests | DOL investigator issued recommendations to resolve matter on 2/5/20; complainant has not pursued further action |

64. Please list in chronological order all **administrative grievances or complaints filed by parties outside District government** against DCHR regarding services provided by or actions of the agency or any employee of the agency in FY2020 or FY2021, as of Jan. 1, 2021. Include on the chronological list any earlier grievance that is still pending in any forum.
- Describe the complainant (e.g. [Program name] customer)
 - For each grievance or complaint, give a brief description of the matter as well as the current status.
 - Please describe the process utilized to respond to the complaint or grievance and any changes to agency policies or procedures as a result.
 - For any complaints or grievances that were resolved in FY2020 or FY2021, to date, describe the resolution.

Answer: DCHR is not aware of any new grievances or complaints filed by outside parties in FY20 and FY21.

65. Please list all **lawsuits** that name or are concerned with DCHR, any division, or employee of the agency (related to the employee's work), which are pending or which concluded in FY2020 or FY2021, to date.
- Provide the case name, court where claim was filed, case docket number (for ex., 2017 CA 007722 P(MPA)), current status of case, and a description of all causes of action, counts, and/or allegations in the filed complaint.
 - Attach a copy of each complaint and any response filed by the agency or its legal representative.

Answer: Please see table below.

| Case Name | Court | Docket No. | Current Status | Description |
|---|---------------------|-----------------------|---|--|
| <i>Barry v. DCHR</i> | D.C. Superior Court | 2019 CA 007261 P(MPA) | Complaint filed 11/4/2019; in briefing | Ms. Barry alleges she should be classified as a Grade 9-11 Program Analyst instead of a Parking Enforcement Officer |
| <i>McFarland v. DCHR/DCRA</i> | D.C. Superior Court | 2019 CA008298 P(MPA) | Complaint filed 12/18/2019; matter pending | Mr. McFarland sought to overturn DCHR's classification of his position as a Grade 9 in a lawsuit filed in 2017; Mr. McFarland filed a second lawsuit to challenge the agency's decision on remand from 2017 CA 007722 P(MPA) |
| <i>Shafiei v. District of Columbia Government</i> | D.C. Superior Court | 2019 SC2 001572 | Closed - Case dismissed without prejudice on 12/19/19 | Mr. Shafiei claimed that he was entitled to 401(a) retirement system contributions. |

| | | | | |
|---|-----------------------|-----------------------|---|---|
| <i>Lucas v. District of Columbia, et. al.</i> | U.S. D.D.C. | 1:13-cv-00143-JDB | Pending | Mr. Lucas alleges he is owed additional retirement benefits. |
| <i>Butler-Truesdale v. DCHR and DHCD</i> | D.C. Superior Court | 2020 CA 000450 P(MPA) | Closed – Court affirmed Agency decision in Order entered 10/22/20 | Ms. Butler-Truesdale alleged that her position was not properly classified |
| <i>Butler-Truesdale v. DCHR and DHCD</i> | D.C. Court of Appeals | 20-CV-0581 | Pending – Case currently in briefing | Ms. Butler-Truesdale appealed the Superior Court’s finding in 2020 CA 000450 P(MPA) |
| <i>Carter v. DBH, DCHR, et al.</i> | U.S. D.D.C. | No. 1:19-cv-03838-EGS | Closed – parties resolved matter in June 2020 | Ms. Carter alleged she was denied access to vested retirement funds |
| <i>Lea v. DC, et al.</i> | D.C. Superior Court | 2020 CA 003987 B | Complaint filed September 18, 2020; District’s responsive pleading due January 15, 2021 | Ms. Lea alleges that she was offered a position which was revoked in violation of her rights. |

66. Please list all **settlements** entered into by DCHR or by the District on behalf of the agency in FY2018, FY2019, FY2020 or FY2021, to date, including those authorized by D.C. Code § 2-402(a)(3), which requires the Mayor to pay certain settlements from agency operating budgets if the settlement is less than \$10,000 or results from an incident or allegation within two years of the filing date. For each settlement, provide:

- a. The parties’ names;
- b. The date the underlying claim was filed with the agency/District government;
- c. The date the settlement was executed;
- d. The amount of the settlement and time period over which it was/will be paid;
- e. Non-financial terms required of the agency, such as rescission of discipline, waiver of future claims, etc.;
- f. If related to litigation, court where claim was initially filed, case docket number, and a description of the allegations; or
- g. If unrelated to litigation, please describe the underlying dispute (e.g. administrative complaint related to sexual harassment, etc.).

Answer: Please see the table on the next page.

| Parties' name | Date claim filed | Date of settlement | Amount of settlement and time period of payment | Non-financial terms | Court, docket # and description | If unrelated to litigation, underlying dispute |
|---------------------------------------|------------------|--------------------|--|---|---|--|
| Mills-Pherigo vs. DCHR | 12/14/2016 | 12/8/2017 | \$75,000; payment within 30 business days of employee's delivery of W-9 form and withdrawal notice | Replace reference to termination with voluntary resignation in employee's records; neutral reference. | Office of Employee Appeals, OEA Matter No. J-0018-17; Employee challenged her termination from DCHR due to her failure to satisfactorily complete a Performance Improvement Plan and due to a neglect of duty charge. | |
| T. Miller | 11/2017 | 12/11/2017 | \$38,447 | Allow employee to resign, remove all info about employee's pending termination from employee records, and provide neutral reference | | While facing a pending termination, employee filed complaint with an EEO counselor alleging discrimination based on race, age, personal appearance, family responsibilities, disability and retaliation. |
| D. Carter v. DBH, DCHR, et al. | 1/2020 | 6/17/2020 | \$2,500 (attorney fees); access to funds in 401(a) retirement account | | U.S. D.D.C., Carter v. District of Columbia Dep't of Behavioral Health, et al., No. 1:19-cv-03838-EGS; Former employee alleged denial of access to vested retirement funds | |