

CR-Sept  
11-15-88

# DEPARTMENT OF CORRECTIONS



## AFFIRMATIVE ACTION PLAN

October 1987

ADMINISTRATION

PROBATION AND PAROLE

MAINE STATE PRISON

MAINE CORRECTIONAL CENTER

CHARLESTON CORRECTIONAL FACILITY

DOWNEAST CORRECTIONAL FACILITY

MAINE YOUTH CENTER

I wish to acknowledge, appreciatively, those who contributed information and ideas for this plan, particularly the members of the Departmental Affirmative Advisory Committee. Special thanks to Debi Clark and Elaine Brann - for each one's efforts in preparation of this plan: typing, editing and statistical detail. And for everyone's patience.

Nancy J. Dikeman

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## DEPARTMENT OF CORRECTIONS

## AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

The Department of Corrections, affirming its commitment to equal employment opportunity guaranteed by the Maine Human Rights Act and Title VII of the Civil Rights Act of 1964, declares the following policy:

- (1) The Department shall recruit, hire, upgrade, train and promote individuals without regard to race, color, religion, sex, national origin, ancestry, age, physical or mental handicap (except where such would interfere with job performance), marital status, status as a disabled veteran, or veteran of the Vietnam Era, except where based on a bona fide occupational qualification, or where consideration of offenders' right to privacy, the security within an institution or the safety of offender/employees/general public are considered paramount.
- (2) All other personnel actions and conditions of employment, such as compensation, benefits, layoffs, job assignments, discipline, shall be administered without regard to race, color, religion, sex, national origin, age, marital status, physical or mental handicap (except where such would interfere with job performance), status as a disabled veteran or veteran of the Vietnam Era, except where based on a bona fide occupational qualification or where consideration of offenders' right to privacy, the security within an institution or the safety of offender/employees/general public are considered paramount.
  - (a) Employees of the Department shall be assigned job-related duties/tasks according to the needs of the institution/program and the employees' skills/knowledge/abilities. The gender of the employee shall be given consideration relative to the privacy interest of the offender.
  - (b) In the event of an emergency, employees of either sex may perform duties otherwise prohibited by reason of sex. The employee (s) involved in the situation determines whether an emergency exists. It is imperative that any such incident be well documented; a justification for any action taken shall be included in said documentation.
- (3) Employment decisions to hire the best person qualified for the job will be made according to the principle of equal employment opportunity.
- (4) Each institution and field service component of the Department shall attempt, as outlined in the DOC Affirmative Action Plan, to employ and advance in employment qualified females, minorities, handicapped persons, disabled veterans and veterans of the Vietnam Era at all levels of employment. This will apply to all employment practices, including but not limited to: hiring, assignment, layoff or termination, and training. Further, the Department will

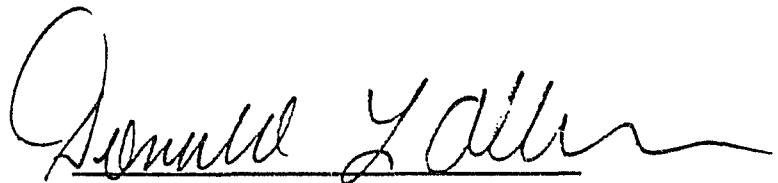
consider reasonable accommodations in its effort to provide increased employment opportunities for underutilized groups.

- (5) It is the responsibility of the management within the Department to assure compliance with this policy. Any violation of this policy, or the practice of discrimination, within the Department of Corrections, shall be considered grounds for disciplinary action, up to and including dismissal.

The management of each institution/component shall assume designated responsibility for the implementation of the Departmental Affirmative Action Plan and of equal employment opportunities for current and prospective employees of the Department, as well as any necessary documentation.

I have assigned the responsibility for the implementation intervention and monitoring of the Affirmative Action Plan, as well as departmental EEO issues to the Departmental Affirmative Action Officer. The Affirmative Action Officer's responsibilities will include providing technical assistance to departmental staff in EEO matters, identifying actual or potential problems as early as possible and assisting management in appropriate resolution.

The discrimination complaint procedure established by the State of Maine Department of Personnel shall be utilized, if deemed necessary by the Affirmative Action Officer.



Donald L. Allen  
Commissioner  
Department of Corrections

October, 1987

## DEPARTMENT OF CORRECTIONS

### AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

It shall be the policy of the Department of Corrections that its employees are entitled to work in an environment free of discriminatory intimidation, based on any difference of sex, race, religion, national origin, age or handicap.

Sexual harassment is deliberate or repeated unsolicited comments, gestures or physical contact of a sexual nature which are unwelcome and which adversely affect the workplace environment. Such adverse effects may be measured by whether the alleged sexual harassment undermines the integrity of the employment relationship, lowers morale, interferes with constructive/creative job performances and/or is detrimental to one's career.

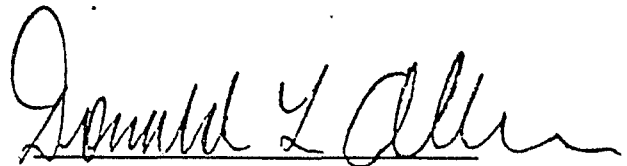
When sexual harassment can be shown to be affecting employment decisions or to be creating an offensive workplace environment, it is a violation of the Maine Human Rights Act and Title VII of the Civil Rights Act of 1964.

Sexual harassment will neither be condoned nor tolerated by the administration of this Department; if any conduct is shown to be sexual harassment, it will be considered grounds for disciplinary action up to and including dismissal.

Each employee of the Department should understand what actually constitutes sexual harassment and should learn to distinguish such discriminatory behavior from personal/social relationships. Correctional management should understand its' responsibility for any and all actions of staff, which may be construed to be sexual harassment and which adversely affect the workplace environment.

Any employee, believing that sexual harassment is occurring, is urged to resolve the situation at the lowest possible level, working through the specific chain of command, within the respective institution or field service unit. When necessary, any employee may contact the Affirmative Action Officer in Central Office.

Further, it is expected that the Affirmative Action Officer will be kept informed, by correctional management, of any sexual harassment problem/complaint and what steps of resolve were taken for the purpose of identifying training needs and/or of providing any necessary technical assistance.



Donald L. Allen  
Commissioner  
Department of Corrections

October, 1987

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## INTRODUCTION



## INTRODUCTION

The Department of Corrections is responsible for the direction and general administrative supervision of the correctional programs within the Maine State Prison, the Maine Correctional Center, Charleston Correctional Facility, the Maine Youth Center, Downeast Correctional Facility and the Division of Probation and Parole. Affirmative action programs for each component of the Department are incorporated into this Affirmative Action Plan.

The foundation for the Equal Employment Opportunity Policy and Affirmative Action include Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972; the Rehabilitation Act of 1973; the Age Discrimination in Employment Act of 1967; the Equal Pay Act; the Maine Human Rights Act, 5 MRSA, Ch. 337; the State Personnel Law - 5 MRSA, Ch. 51, Section 553 (Non-Discrimination) and 5 MRSA, Ch. 65 (Code of Fair Practices and Affirmative Action).

The Department of Corrections has a commitment to the EEO/AA philosophy that every individual has the right to work and advance based on merit, ability, and potential, free from unlawful discrimination.

\*\*\*\*\*

Department of Corrections  
Station #111  
State Office Building  
Augusta, Maine 04333  
Tel: 289-2711

Maine State Prison  
P.O. Box A  
Thomaston, Maine 04861  
Tel: 354-2535

Maine Youth Center  
675 Westbrook Street  
South Portland, Maine 04106  
Tel: 772-7434/289-3298

Maine Correctional Center  
17 Mallison Falls Road  
Windham, Maine 04082  
Tel: 892-6716

Charleston Correctional Facility  
RR #1, Box 1400  
Charleston, Maine 04422  
Tel: 285-3307

Downeast Correctional Center  
HCF 70, Box 428  
Bucks Harbor, Maine 04618  
Tel: 255-4554

Division of Probation & Parole  
Station #111  
State Office Building  
Augusta, Maine 04333  
Tel: 289-4381

District I, Probation and Parole  
P.O. Box 3836  
175 Lancaster Street  
Portland, Maine 04104  
Tel: 879-4800

District II, Probation and Parole  
P.O. Box 274  
198 Main Street  
Lewiston, Maine 04210  
Tel: 795-4550

District III, Probation and Parole  
Station #31  
16 Winthrop Street  
Augusta, Maine 04333  
Tel: 289-2401

District IV, Probation and Parole  
26 Franklin Street  
Bangor, Maine 04401  
Tel: 942-6386

District V, Probation and Parole

Box 219

School Street

Houlton, Maine 04730

Tel: 532-7168

District VI, Probation and Parole

64 Alfred Street

3rd Floor

P.O. Box AD

Biddeford, Maine 04005

Tel: 879-4219

POLICY DISSEMINATION

## POLICY DISSEMINATION

The Department will provide for internal and external communication of its EEO/AA policy. Through this dissemination, the Department becomes publicly accountable for all provisions of this policy. This accountability mandates not "lip service," but a good faith effort to successfully implement the Affirmative Action Program.

### INTERNAL DISSEMINATION

The Commissioner will formally announce this affirmation of equal employment opportunity and affirmative action and distribute copies of the Affirmative Action Plan to all correctional administrators. Significant aspects of the policy and plan will be reviewed and explained to correctional administrators.

**ACTION DATE:** Within one month of signing the plan.

**RESPONSIBLE PARTY:** Donald L. Allen, Commissioner

Correctional administrators will meet with their supervisory staff to review the Affirmative Action Plan and communicate the responsibility of supervisors and managers for implementation and compliance.

**ACTION DATE:** Within one month of correctional administrators' meeting.

**RESPONSIBLE PARTY:** Correctional Administrators

Copies of AA/EEO policy statement will be sent to all facilities and Probation and Parole districts within the Department to be posted at each location.

**ACTION DATE:** December 1, 1987

**RESPONSIBLE PARTY:** Departmental Affirmative Action Officer

A training plan will be developed to assure that all employees with supervisory responsibilities receive training in EEO/AA.

**ACTION DATE:** February 1, 1988

**RESPONSIBLE PARTY:** Departmental Affirmative Action Officer

A "Department of Corrections Affirmative Action/Equal Employment Opportunity Information" booklet will be provided to each new employee, in addition to specific orientation regarding these topics.

**ACTION DATE:** Ongoing

**RESPONSIBLE PARTY:** Department's Personnel Officers

All of the people specifically designated as responsible parties in the plan will be informed of such responsibilities in writing and provided a copy of the plan.

**ACTION DATE:** Within one week of signing the plan.

**RESPONSIBLE PARTY:** Departmental Affirmative Action Officer

#### **EXTERNAL DISSEMINATION**

The labor organizations representing State employees will be provided with a copy of the Affirmative Action Plan.

**ACTION DATE:** December 1, 1987

**RESPONSIBLE PARTY:** Departmental Affirmative Action Officer

Advertisements for job vacancies will continue to include the phrase "An Equal Opportunity/Affirmative Action Employer."

**ACTION DATE:** Continuing ..

**RESPONSIBLE PARTY:** Department's Personnel Officers  
Departmental Affirmative Action Officer

Copies of the Affirmative Action Plan will be sent to the Maine Human Rights Commission and the Maine State Library.

**ACTION PLAN:** November 15, 1987

**RESPONSIBLE PARTY:** Departmental Affirmative Action Officer

The Department will continue to incorporate an equal opportunity clause as required by the Code of Fair Practices and Affirmative Action in all purchase orders, contracts, leases, etc.

**ACTION DATE:** Continuing

**RESPONSIBLE PARTY:** Departmental Affirmative Action Officer

**RESPONSIBILITY ASSIGNMENT**

## **RESPONSIBILITY ASSIGNMENT**

### **COMMISSIONER**

The Commissioner of the Department of Corrections has the overall responsibility for the Department's compliance with equal employment opportunity policy and provides support and direction in the implementation of the Affirmative Action Plan. He shall be responsible to assure that the management of the Department fulfills its responsibilities to set a tone of cooperation and support for affirmative action.

### **DEPARTMENTAL AFFIRMATIVE ACTION OFFICER**

The Affirmative Action Officer is responsible for the implementation and monitoring of the Department's plan. These duties include, but are not limited to, the following:

- Develop and implement audit/reporting systems which will measure the effectiveness of the Department's EEO/AA efforts and provide for early identification of problem areas.
- Develop, implement, and monitor an EEO/AA Training Plan to assure that managers, supervisors and employees in the Department receive the necessary training for compliance with law and policy.
- Advise management of problem areas and recommend corrective action.
- Serve as a liaison between the Department and state and federal enforcement agencies.
- Provide technical assistance to staff in EEO/AA matters.
- Review selection/promotion criteria to assure job-relatedness

### **PERSONNEL OFFICERS**

The Department's Director of Personnel and Personnel Officers are responsible for ensuring that personnel actions are administered fairly and in accordance with State and Federal EEO laws and departmental EEO/AA policy. Duties include:

- Assure that staff responsible for hiring in underutilized job groups are informed of such underutilization and specific affirmative action goals.
- Require written justification of hiring decisions based on job related criteria.

- Assure that records of personnel actions such as selection procedures are maintained for a period of two years.
- Advise the Affirmative Action Officer of potential problem areas.

#### **MANAGERS AND SUPERVISORS**

An effective EEO/AA effort requires professionalism of managers and supervisors in the execution of their personnel duties. Because of their positions, they must do more than perform in a non-discriminatory manner - they must take active roles in the Affirmative Action Program. Their responsibilities include:

- Making employment decisions to further the goals of EEO/AA.
- Assist in identifying EEO/AA problems and the subsequent development of appropriate goals and objectives to eliminate the problems.
- Take corrective action when they are aware of potentially discriminatory activity such as illegal harassment of employees.
- Make good faith efforts to achieve the AAP goals, which may include personal accountability for a program goal.
- Include performance standards on EEO/AA efforts in the evaluation of all supervisors.



UTILIZATION ANALYSIS

## WORKFORCE UTILIZATION ANALYSIS

The section of the plan is the statistical analysis of the department's workforce to determine the representation of women and minorities. Numerical goals have been established to increase the number of women in job groups where they are not represented in accordance with their availability in the outside labor force.

The long term goal of Maine State Government is to attain a workforce whose composition reflects the proportion of women and minorities in the State's labor force. It is not enough that women compose 41% of the department's workforce compared to 42% of the labor force. Women are primarily concentrated in traditionally female occupations and underrepresented in the traditionally male, often more highly paid occupations. The goal of affirmative action is to reach a point where affirmative action is no longer necessary - where the principles of equal employment opportunity and the practice of non-discrimination will suffice to assure equality. Until women are represented in all EEO job categories consistent with labor force statistics, the Department of Corrections will continue to pursue aggressive affirmative action programs.

The numerical goals established in this section are based on the percentage of women in the State's labor force and/or the department's workforce who possess the relevant qualifications for the positions. They are short-term goals and should not be considered quotas that must be met. Some may be easier to realize than others depending on such factors as turnover rates, number of positions available, recruitment problems, etc. In job groups where women are concentrated in the lower pay ranges within the group yet not underrepresented, goals were not established but expanded certifications will be used in the higher pay ranges until the representation is equitable.

Since the total minority population in the State of Maine is less than 2%, a minority availability analysis was not conducted (OFCCP Federal Contract Compliance Manual 2-160.2b). The absence of numerical goals, however, in no way represents less emphasis in affirmative action programs for minorities. The long term goal is 1% minority representation in all categories of Maine State employment.

Following is a discussion of the workforce analysis and hiring goals for each of the EEO categories.

### OFFICIALS & ADMINISTRATORS

Women comprise 20% of this top management group with an availability of 26%. Expanded certifications will be utilized to attempt to increase the number of women by three (3). In addition, attention will be placed on efforts to promote women into the higher pay ranges of this category.

### PROFESSIONAL

The professional category is 31% women with varying availability depends on the job group. Goals were established within agencies and job groups where necessary. Based on the current turnover rate, the goal of 41 can be achieved by October 1990.

## **TECHNICIANS**

This category is relatively small and is not underutilized.

## **PROTECTIVE SERVICE**

Only 12% of this category are women. The entry level qualifications are minimal; the number of women actually promoted is less than those qualified for promotion. Contrary to the myth that women do not belong in security positions in male correctional facilities, females, as a rule, do function effectively in this role. Therefore, the goal of 53 is realistic and should be achieved by April 1989.

## **OFFICE/CLERICAL**

82% of the jobs in this category are filled by women; the goal of (3) is in storekeeper jobs. Additionally, certain clerical positions should be considered feeder group positions for promotions within the Department.

## **SKILLED CRAFT**

There are no women in this traditionally male job category. Goals have been set, somewhat optimistically, in that the availability of women in the labor force in this particular field is limited.

## **SERVICE/MAINTENANCE**

Women hold only 8% of the jobs in this category. Affirmative Action will focus on both the entry level and the supervisory groups.

WORK FORCE ANALYSIS  
DEPARTMENT OF CORRECTIONS

JOB TITLE	EEO CATE- GORY	SALARY RANGE	ALL EMPLOYEES			MINORITY EMPLOYEES							
			TOTAL	MALE	FEMALE	MALE				FEMALE			
						B	A/PI	NA	H	B	A/PI	NA	H
Clerk I	25	03	2	1	1								
Clerk Typist I	25	05	3		3								
Laborer II	27	06	3	3		1							
Clerk II	25	07	1		1								
Clerk Typist II	25	08	17½		17½								
Clerk Steno II	25	09	21		21								
Storekeeper I	25	09	5	5									
Baker I	26	09	1										
Account Clerk I	25	09	7	3	4								
Data Entry Specialist	25	09	1	1									
Laundry Supervisor	27	10	1	1									
Guard	23	12	165	159	6								
Training School Counselor	21	12	72	50	22	1							
Corrections Officer I	23	12	158	139	19			2					
Butcher	26	12	1	1									
General Farmer I	22	12	2	2									
Boiler Operator	26	12	9	9									
Teacher Aide	21	12	1		1								

WORK FORCE ANALYSIS  
DEPARTMENT OF CORRECTIONS

JOB TITLE	EEO CATE- GORY	SALARY RANGE	ALL EMPLOYEES			MINORITY EMPLOYEES							
			TOTAL	MALE	FEMALE	MALE				FEMALE			
						B	A/PI	NA	H	B	A/PI	NA	H
Ass't Prison Steward	27	12	1	1									
Account Clerk II	25	12	2	1	1								
Clerk Typist III	25	12	11		11								
Cook II	27	12	16½	13½	3								
Clerk III	25	12	1	1									
Secretary	25	13	5		5								
Clerk Steno III	22	13	4		4								
Storekeeper II	25	13	1	1									
Accountant I	21	14	7		7								
Baker II	26	14	1	1									
Industrial Shop Ass't. Superintendent	00	14	4	4									
Ass't Mgr. Prison Store	25	14	1	1									
Corrections Trades, Inspec	26	14	15	15									
Carpenter	26	14	1	1									
Electrician	26	14	2	2									
Plumber	26	14	1	1									
Corrections Maintenance Mechanic	26	14	19	19									
Dental Hygienist	20	15	½	½									

WORK FORCE ANALYSIS  
DEPARTMENT OF CORRECTIONS

JOB TITLE	EEO CATE- GORY	SALARY RANGE	ALL EMPLOYEES			MINORITY EMPLOYEES							
			TOTAL	MALE	FEMALE	MALE				FEMALE			
						B	A/PI	NA	H	B	A/PI	NA	H
Training School Coord II	21	15	44	34	10								
Corrections Officer II	23	15	27	24	03								
Guard Sergeant	23	15	16	16									
Laundry Supervisor	27	15	1	1									
Corrections Infirmary Attendant	22	15	1	1									
Lic. Practical Nurse	22	16	11	2	9								
Assistant Classification Officer	21	16	3	2	1								
Grounds Equipment Foreman	27	16	3	3									
Administrative Secretary	25	16	1		1								
Master Carpenter	26	16	1	1									
Boiler Engineer	26	16	2	2									
Guard Farmer II	22	16	1										
Industrial Supervisor	00	16	3	3									
Prison Retail Mgr.	25	16	1	1									
TSC Supervisor	21	17	4	4									
Accountant II	21	17	4	1	3								
Cook III	21	17	8	8									
Prison Librarian	21	18	1	1									

WORK FORCE ANALYSIS  
DEPARTMENT OF CORRECTIONS

JOB TITLE	EEO CATE- GORY	SALARY RANGE	ALL EMPLOYEES			MINORITY EMPLOYEES							
			TOTAL	MALE	FEMALE	MALE				FEMALE			
						B	A/PI	NA	H	B	A/PI	NA	H
Librarian Teacher	21	18	1		1								
Plate Shop Manager	26	18	1	1									
Print Shop Manager	26	18	1	1									
Auto Mechanic Foreman	26	19	2	2									
Chief Volunteer Services	21	19	$\frac{1}{2}$		$\frac{1}{2}$								
Corrections Training Officer	21	19	2	2									
Maintenance Mechanic Foreman	26	19	1	1									
Wood Products Manager	22	19	1	1									
Prison Steward	27	19	1	1									
Electrician Foreman	26	19	1	1									
Supervisor-of-Grounds/ Transportation Services	27	19	1	1									
Corrections Officer III	23	20	8	8									
Plant Maintenance Eng.	22	20	3	3									
Corrections Trades Supervisor	22	20	1	1									
Food Services Manager	21	20	3	3									
Nurse II	21	20	5		5								
Supervisor Recreation	21	20	2	2									
Psych Social Worker I	21	20	3	2	1								

**WORK FORCE ANALYSIS**  
**DEPARTMENT OF CORRECTIONS**

JOB TITLE	EEO CATE- GORY	SALARY RANGE	ALL EMPLOYEES			MINORITY EMPLOYEES							
			TOTAL	MALE	FEMALE	MALE				FEMALE			
						B	A/PI	NA	H	B	A/PI	NA	H
Jail Inspector		20	1										
Building Maintenance Supervisor	27	20	2	2									
Adm. Assistant	21	20	1										
Guard Lieutenant	23	20	7	7									
Business Manager I	20	21	3	1	2								
Personnel Specialist	21	21	1	1									
Probation Officer	21	21	78	54	24								
Correctional Caseworker	21	21	18	2	6								
Teacher Manual Training	21	21	1	1									
Teacher	21	21	38	18	3								
Voc Trades Instructor	21	21	21	18	3								
Nurse III	21	22	2		2								
Ass't. to Superintendent	21	22	1		1								
Unit Director MYC	21	22	6	4	2								
Admin Counselor	21	22	1	1									
Advocate	21	22	1	1									
Counselor MH/MR	21	22	6	4	2								



WORK FORCE ANALYSIS  
DEPARTMENT OF CORRECTIONS

JOB TITLE	EEO CATE- GORY	SALARY RANGE	ALL EMPLOYEES			MINORITY EMPLOYEES							
			TOTAL	MALE	FEMALE	MALE				FEMALE			
						B	A/PI	NA	H	B	A/PI	NA	H
Guard Captain	21	22	6	6									
Alcohol Rehabilitation Counselor	21	22	1		1								
A.A. Officer USC	21	22	1		1								
II Probation and Parole Off	21	22	17	15	2								
Rec Therapist	21	23	1/2	1/2									
Social Services Supervisor/Caseworker	21	23	1	1									
Classification & Rehabilitation Officer	21	23	2	2									
Planning Research Assoc	II 21	23	2	1	1								
Correctional Industries Manager	20	24	1	1									
Substance Abuse Program Specialist	21	24	1	1									
Management Analyst II	21	24	2	2									
Correctional Classification Coord.	21	24	1										
Personnel Officer	21	24	2		2								
Training Center Mgr. I	21	24	1	1									
Chaplain I	21	24	3 1/2	3 1/2									
Assistant Director Cottage Program	20	24	1		1								
Asst. Principal	21	24	2	2									
Correctional Plans Coordinator	21	24	2	2									

WORK FORCE ANALYSIS  
DEPARTMENT OF CORRECTIONS

JOB TITLE	EEO CATE- GORY	SALARY RANGE	ALL EMPLOYEES			MINORITY EMPLOYEES							
			TOTAL	MALE	FEMALE	MALE				FEMALE			
						B	A/PI	NA	H	B	A/PI	NA	H
Physician Extender	21	25	2	1	1								
Guard Major	21	25	1	1									
Plant & Maintenance Engineer III	20	25	1	1									
Training Center Manager II	21	25	1	1									
Psychologist I	21	25	2	2									
Chaplain II	21	25	1		1								
Teacher/Principal	21	25	2	2									
Assistant to the Commissioner	20	26	1	1									
District Supervisor/ Probation & Parole	21	26	6	5	1								
Business Services Manager	20	26	3	1	2								
Chief Advocate	20	26	1	1									
Dir. Cottage Program	20	26	1	1									
Dir. Hayden Unit	20	26	1	1									
Chief of Security	20	26	3	3									
Personnel Manager	21	27	1	1									
Chief Prison Security	20	27	1	1									
Assistant Director Probation & Parole	20	27	2	2									
Dir. Social Services	20	27	1	1									

WORK FORCE ANALYSIS  
DEPARTMENT OF CORRECTIONS

JOB TITLE	EEO CATE- GORY	SALARY RANGE	ALL EMPLOYEES			MINORITY EMPLOYEES							
			TOTAL	MALE	FEMALE	MALE				FEMALE			
						B	A/PI	NA	H	B	A/PI	NA	H
Principal	20	27	1	1									
Director Division of Accounting & Audit	20	28	1	1									
Director of Correctional Classification System	20	28	1	1									
Asst. Supt. Corrections	20	28	6	6									
Corr. Inspections Dir.	20	29	1	1									
Psychologist II	21	29	1	1									
Deputy Prison Warden	20	29	1	1									
Dir. Corr. Program	20	30	1	1									
Psychologist III	21	31	2	1	1								
Dir. Probation & Parole	20	32	1	1									
Supt. Corr. Inst	20	35	2	2									
Prison Warden	20	36	1	1									
Assoc. Commissioner	20	36	2	1	1								
Psychologist IV	21	33	2	2									

## UNIT: DEPARTMENT OF CORRECTIONS

## GROUP: I. Officials/Administrators

Administration	Range	Minority	Male	Female
1 Affirmative Action Officer/VSC	22			1
2 Personnel Officer	24			2
1 Chief Advocate	26		1	
3 Chief of Security	26		3	
3 Business Service Manager	26		1	2
1 Director, Cottage Program	26		1	
1 Assistant to Commissioner	26		1	
1 Personnel Manager	27		1	
1 Chief Prison Security	27		1	
2 Assistant Director, Probation & Parole	27		2	
1 Director, Division Accounting & Audit	28		1	
6 Assistant Superintendent	28		6	
1 Director, Correctional Classification Systems	28		1	
2 Deputy Prison Warden	29		2	
1 Correctional Inspections Director	29		1	
1 Director, Correctional Programs	30		1	
1 Director, Probation & Parole	34		1	
2 Superintendent	35		2	
1 Prison Warden	36		1	
2 Associate Commissioner	36		1	1
Current Status % Female <u>20%</u>				
Availability				
Labor Force %				31
Feeder Group %				21
Goal				3

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance X

EXPLANATION

UNIT: DEPARTMENT OF CORRECTIONS

GROUP: II.. Professional

Administration	Range	Minority	Male	Female
1 Jail Inspector	20			
2 Personnel Specialist	21		1	
2 Business Manager I	21		1	1
1 Assistant to Superintendent	22			1
6 Unit Directors	22		4	2
3 Planning & Research Associate II	23		1	1
1 Correctional Planning Analyst	24		1	
2 Management Analyst II	24		2	
1 Correctional Classification Coord.	24		2	
3 Correctional Plans Coordinator	24		2	
2 Training Center Manager I	24		1	
2 Assistant Principal	24		2	
1 Substance Abuse Program Specialist	24		1	
1 Training Center Manager II	25		1	
2 Teacher/Principal	25		2	
1 Director, Hayden	26		1	
1 Principal	27		1	
Current Status % Female <u>22%</u>				
Availability				
Labor Force %				34%
Feeder Group %				21
Goal				4

Expanded Certification: ☒ Yes ☐ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

UNIT: CORRECTIONS - CENTRAL OFFICE

GROUP: II. Professional

	Range	Minority	Male	Female
1 Jail Inspector	20			
3 Planning & Research Associate II	23		1	
2 Correctional Plans Coordinator	24		2	
2 Management Analyst II	24		1	
1 Correctional Classification Coord.	24			
1 Correctional Planning Analyst				
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: CORRECTIONS - CENTRAL OFFICE

GROUP: II. Professional

Administration	Range	Minority	Male	Female
1 Personnel Specialist	21			
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: Corrections - Central Office

GROUP: II. Professional

Fiscal	Range	Minority	Male	Female
1 Business Manager	21			1
1 Accountant I	14			1
1 Accountant II	17			1
Current Status % Female <u>100%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☐ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.



UNIT: Corrections - Central Office

GROUP: II. Professional

Psychological/Chaplaincy Social Services	Range	Minority	Male	Female
1 Psychologist IV	33		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☐ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Because this is a single incumbent job group, it is statistically insignificant. No availability analysis was conducted nor any hiring goal established.

GROUP: VI. Office Clerical

Expanded Certification: \_\_\_\_\_ Manifest  
 Yes X No \_\_\_\_\_ Direct Hire Imbalance

Although this job group is actually underutilized, to set a hiring goal is considered incongruent with the intent to expand employment opportunities for females.

UNIT: PROBATION & PAROLE

GROUP: I. Officials/Administrators

Administration	Range	Minority	Male	Female
2 Assistant Director, Probation & Parole	27		2	
1 Director, Probation & Parole	32		1	
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: PROBATION & PAROLE

GROUP: II. Professional

Administration	Range	Minority	Male	Female
1 Substance Abuse Program Specialist	24		1	
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: Probation & Parole

GROUP: II. Professional

Managers	Range	Minority	Male	Female
6 District Supervisors, P&P	26		5	1
Current Status % Female <u>17%</u>				
Availability				
Labor Force %				
Feeder Group %				25%
Goal				1

Expanded Certification: ☒ Yes ☐ No ☐ Direct Hire ☒ Manifest Imbalance

EXPLANATION

UNIT: PROBATION & PAROLE

GROUP: II. Professional

PPO	Range	Minority	Male	Female
84 Probation Officers	21		56	24
17 Probation Parole Officer II	22		15	2
Current Status % Female <u>30%</u>				
Availability				
<u>Labor Force %</u>				
<u>Feeder Group %</u>				40%
Goal				9

Expanded Certification:                      
X Yes      No      Direct Hire X Manifest Imbalance

EXPLANATION

UNIT: Probation & Parole  
 GROUP: VI. Office Clerical

	Range	Minority	Male	Female
6 Clerk Typist II	08			6
9 Clerk Steno II	09			9
6 Clerk Typist III	12			6
Current Status % Female <u>100%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.





UNIT: MAINE STATE PRISON

GROUP: II. Professional

Administration	Range	Minority	Male	Female
1 Training Center Manager II	25		1	
1 Teacher/Principal	25		1	
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: MAINE STATE PRISON

GROUP: II. Professional  
PPO

	Range	Minority	Male	Female
1 Probation Officer	20		1	
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: Maine State Prison

GROUP: II. Professional

Teacher	Range	Minority	Male	Female
5 Vocational Trades Instructors	21		5	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				44%
Feeder Group %				
Goal				2

Expanded Certification:                              
       Yes        No        X Direct Hire        X Manifest Imbalance

EXPLANATION

UNIT: MAINE STATE PRISON

GROUP: II. Professional

Psychological/Chaplaincy/ Social Services	Range	Minority	Male	Female
2 Correctional Caseworkers	21		1	1
2 Counselors	22		2	
1 Social Services Casework Supervisor	23		1	
1½ Chaplain I	24		1½	
1 Psychologist II	29		1	
1 Psychologist III	31			1
1 Psychologist IV	33		1	
Current Status % Female <u>20%</u>				
Availability				
Labor Force %				47%
Feeder Group %				
Goal				3

Expanded Certification:                             Manifest  
  X   Yes        No        Direct Hire   X   Imbalance

EXPLANATION

UNIT: MAINE STATE PRISON

GROUP: II. Professional

Other Professional	Range	Minority	Male	Female
2 Assistant Class. & Rehab. Officer	16		1	1
1 Prison Librarian	18		1	
1 Correctional Training Officer	19		1	
1 Correctional Training Officer	19		1	
1 Food Service Manager	20		1	
1 Supervisor, Recreation	20		1	
1 Training Center Manager II	21		1	
1 Advocate	22		1	
1 Classification & Rehab Officer	23		1	
1 Plant Maintenance Engineer III	25		1	
Current Status % Female <u>10%</u>				
Availability				
Labor Force %				
Feeder Group %				20%
Goal				1

Expanded Certification:                     Manifest  
X Yes      No      Direct Hire X Imbalance

EXPLANATION

UNIT: Maine State Prison

GROUP: II. Professional

Fiscal	Range	Minority	Male	Female
2 Accountant I	14			2
1 Accountant II	17			1
Current Status % Female <u>100%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

UNIT: Maine State Prison

GROUP: II. Professional

Medical Services	Range	Minority	Male	Female
1 Physician Extender	25			1
Current Status % Female <u>100%</u>				
Availability				
<u>Labor Force %</u>				
<u>Feeder Group %</u>				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

GROUP: III. Technicians

Expanded Certification: \_\_\_\_\_  
                               Yes      X No      \_\_\_\_\_ Direct Hire      \_\_\_\_\_ Manifest Imbalance

Obviously, no goal is necessary.



UNIT: Maine State Prison

GROUP: IV. Protective Services

	Range	Minority	Male	Female
165 Guards	12		159	6
Current Status % Female <u>4%</u>				
Availability				
Labor Force %				19
Feeder Group %				
Goal				25

Expanded Certification:        Yes        No   X   Direct Hire        Manifest Imbalance   X  

EXPLANATION

UNIT: Maine State Prison

GROUP: IV. Protective Services

	Range	Minority	Male	Female
16 Guard Sargeants	15		16	
7 Guard Lieutenants	20		7	
6 Guard Captains	22		6	
1 Guard Major	25		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				
Feeder Group %				19%
Goal				6

Expanded Certification:                     Manifest  
X Yes      No      Direct Hire X Imbalance

EXPLANATION

UNIT: Maine State Prison  
 GROUP: VI. Office Clerical

Stores	Range	Minority	Male	Female
1 Storekeeper I	09		1	
1 Assistant Prison Steward	12		1	
1 Assistant Manager Prison Retail Store	14		1	
1 Prison Retail Store Manager	16		1	
1 Prison Steward	19		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				56%
Feeder Group %				
Goal				2

Expanded Certification:                     Manifest  
                           X Yes         No         Direct Hire    X Imbalance

EXPLANATION

UNIT: Maine State Prison  
 GROUP: VI. Office Clerical

Other Clerical	Range	Minority	Male	Female
3 Worker's Comp Positions (Clerk I's)	03		1	1
3 Clerk Typist I	05			3
1 Clerk II	07			1
4 Clerk Typist II	08			4
1 Data Entry Specialist	09			1
2 Account Clerk I	09		1	1
1 Clerk III	12			1
1 Clerk Typist III	12			1
1 Account Clerk II	12		1	
1 Secretary	13			1
Current Status % Female <u>78%</u>				
Availability				
Labor Force %				98%
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Although this job group is actually underutilized, to set a hiring goal is considered incongruent with the intent to expand employment opportunities for females.

UNIT: MAINE STATE PRISON

GROUP: VII. Skilled Crafts

	Range	Minority	Male	Female
1 Butcher	12		1	
5 Boiler Operator	12		5	
5 Assistant Supervisor, Industrial Shop	14		4	
4 Correctional Maintenance Mechanic	14		4	
3 Industrial Shop Supervisor	16		3	
1 Master Carpenter	16		1	
1 Plate Shop Manager	18		1	
1 Print Shop Manager	18		1	
1 Electrician Foreman	19		1	
1 Maintenance Mechanic Foreman	19		1	
1 Auto Mechanic Foreman	19		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				2%
Feeder Group %				
Goal				1

Expanded Certification:                     Manifest  
X Yes      No      Direct Hire X Imbalance

EXPLANATION

UNIT: Maine State Prison

GROUP: VIII. Service Maintenance

	Range	Minority	Male	Female
4 Cook II	12		4	
1 Laundry Supv. II	15		1	
1 Grounds & Equipment Foreman	16		1	
4 Cook III	17		4	
1 Building Maintenance Supv.	20		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				34%
Feeder Group %				
Goal				3

Expanded Certification:        Yes        No   X   Direct Hire   X   Manifest Imbalance

EXPLANATION

UNIT: Maine Correctional Center

GROUP: I. Officials/Administrators  
Administration

1 Personnel Officer  
1 Chief of Security  
1 Business Services Manager  
2 Assistant Superintendent, Corrections  
1 Superintendent, Corrections

Range	Male	Female
24		1
26	1	
26	1	
28	2	
32	1	
Current Status % Female _____		
Availability		
Labor Force %		
Feeder Group %		
Goal		

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: MAINE CORRECTIONAL CENTER

GROUP: II. Professional

Administration	Range	Minority	Male	Female
1 Teacher/Principal	25		1	
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.



GROUP: II. Professional

Expanded Certification: \_\_\_\_\_ Yes X No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

Neither availability analysis nor goal are necessary for this particular job group.

UNIT: Maine Correctional Center

GROUP: II. Professional

Fiscal	Range	Minority	Male	Female
1 Accountant I	14			1
1 Accountant II	17			1
Current Status % Female <u>100%</u>				
Availability				
<u>Labor Force %</u>				
<u>Feeder Group %</u>				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

UNIT: Maine Correctional Center

GROUP: II. Professional

Psychological/Chaplaincy Social Services	Range	Minority	Male	Female
3 Correctional Caseworker	21		1	2
1 Alcohol Rehab. Counselor II	22			1
1 Counselor, MH & MR	22		1	
1 Chaplain I	24		1	
1 Chaplain II	25			1
Current Status % Female <u>57%</u>				
Availability				
Labor Force %				47%
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Obviously, no goal is necessary

UNIT: MAINE CORRECTIONAL CENTER

GROUP: II. Professional

PPO	Range	Minority	Male	Female
1 Probation Officer	21		1	
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: MAINE CORRECTIONAL CENTER

GROUP: II. Professional

Other Professional	Range	Minority	Male	Female
1 Assistant Class. & Rehab. Officer	16		1	
1 Correctional Training Officer	19		1	
1 Food Services Manager	20		1	
1 Plant Maintenance Engineer I	20		1	
1 Supervisor, Recreation	20		1	
1 Advocate	22		1	
1 Classification & Rehab Officer	23		1	
Current Status % Female <u>14%</u>				
Availability				
Labor Force %				
Feeder Group %				33%
Goal				1

Expanded Certification:      Yes      No      Direct Hire      Manifest Imbalance X

EXPLANATION

UNIT: Maine Correctional Center

GROUP: II. Professional

Teacher	Range	Minority	Male	Female
10 Correctional Trades Instructor	14		10	
1 Correctional Trades Supervisor	20		1	
5 Teacher	21		1	4
10 Vocational Trades Instructor	21		7	3
Current Status % Female <u>27%</u>				
Availability				
Labor Force %				45%
Feeder Group %				
Goal				4

Expanded Certification:        Yes        No   X   Direct Hire        Manifest Imbalance   X  

EXPLANATION

UNIT: Maine Correctional Center

GROUP: III. Technicians

	Range	Minority	Male	Female
2 Licensed Practical Nurse	16			2
Current Status % Female <u>100%</u>				
Availability				
<u>Labor Force %</u>				
<u>Feeder Group %</u>				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

UNIT: MAINE CORRECTIONAL CENTER

GROUP: IV. Protective Services

	Range	Minority	Male	Female
107 Correctional Officer I	12		92	15
16 Correctional Officer II	15		14	2
8 Correctional Officer III	20		8	
Current Status % Female <u>13%</u>				
Availability				
Labor Force %				23%
Feeder Group %				10%
Goal				13

Expanded Certification: \_\_\_\_\_  
(CO II/III) X Yes \_\_\_\_\_ No X Direct Hire \_\_\_\_\_ Manifest  
(CO 1) \_\_\_\_\_ Imbalance X

EXPLANATION

Twenty-three percent (23%) represents the labor force availability of females for the initial hire as CO Is. To achieve the goal of thirteen (13) for this job group, proportionate numbers of female CO Is must be promoted to the CO II level; likewise, female CO IIs must be promoted to the CO III level.



UNIT: Maine Correctional Center

GROUP: IV Protective Services

Other Services	Range	Minority	Male	Female
1 Laundry Supervisor I	10		1	
Current Status % Female <u>0%</u>				
Availability				
<u>Labor Force %</u>				
<u>Feeder Group %</u>				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Because this is a single incumbent job group, it's statistically insignificant. No availability analysis was conducted nor any hiring goal established.

UNIT: Maine Correctional Center

GROUP: VI. Office Clerical

Stores	Range	Minority	Male	Female
1 Storekeeper I	09		1	
1 Storekeeper II	13		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				27%
Feeder Group %				
Goal				1

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☒ Manifest Imbalance

EXPLANATION

UNIT: Maine Correctional Center

GROUP: VI. Office Clerical

Other Clerical	Range	Minority	Male	Female
1 Clerk Typist I	05		1	
4 Clerk Typist II	08			4
1 Clerk Steno II	09			1
1 Account Clerk I	09			1
2 Clerk Typist III	12			2
1 Secretary	13			1
Current Status % Female <u>100%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

UNIT: Maine Correctional Center

GROUP: VII. Skilled Crafts

	Range	Minority	Male	Female
3 Correctional Maintenance Mechanic	14		3	
1 Boiler Engineer	16		1	
1 Auto Mechanic Foreman	19		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				8%
Feeder Group %				
Goal				1

Expanded Certification:                     Manifest  
X Yes      No      Direct Hire X Imbalance

EXPLANATION

UNIT: Maine Correctional Center  
 GROUP: VIII. Service Maintenance

	Range	Minority	Male	Female
6½ Cook II's	12		4½	2
1 Cook III	17		1	
Current Status % Female <u>33%</u>				
Availability				
Labor Force %				56%
Feeder Group %				
Goal				2

Expanded Certification:        Yes        No   X   Direct Hire        Manifest Imbalance   X  

EXPLANATION

UNIT: MAINE YOUTH CENTER

GROUP: I. Officials/Administrators

Administration	Range	Minority	Male	Female
1 Director, Cottage Program	26		1	
1 Business Service Manager	26			1
2 Assistant Superintendent	28		2	
1 Superintendent, Corrections	32		1	
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: MAINE YOUTH CENTER

GROUP: II. Professional

Administration	Range	Minority	Male	Female
1 Personnel Specialist	21		1	
1 Assistant to the Superintendent, Corrections	22			1
6 Unit Directors	22		4	2
2 Assistant Principal	24		2	
1 Director, Hayden Unit	26		1	
1 Principal	27		1	
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Manifest  
                                    Yes      No      Direct Hire      Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: Maine Youth Center

GROUP: II. Professional

Fiscal	Range	Minority	Male	Female
1 Accountant I	14			1
1 Accountant II	17		1	
Current Status % Female <u>50%</u>				
Availability				
Labor Force %				88%
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Although this job group is actually underutilized, to set a hiring goal is considered incongruent with the intent to expand employment opportunities for females.



UNIT: Maine Youth Center

GROUP: II. Professional

Teacher	Range	Minority	Male	Female
1 Teacher/Librarian	18			1
30 Teacher	21		16	14
1 Teacher, Manual Training	21		1	
5 Vocational Trades Instructor	21		5	
1 Administrative Counselor	22		1	
Current Status % Female <u>40%</u>				
Availability				
Labor Force %				65%
Feeder Group %				
Goal				10

Expanded Certification:                     Manifest  
X Yes      No X Direct Hire X Imbalance

EXPLANATION

UNIT: Maine Youth Center

GROUP: II. Professional

Medical Services	Range	Minority	Male	Female
4 Nurse II	20			3
1 Nurse III	22			1
Current Status % Female <u>100%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

UNIT: Maine Youth Center

GROUP: II. Professional

Psychological/Chaplaincy/ Social Services	Range	Minority	Male	Female
3 Psychiatric Social Worker I	20		2	1
1 Correctional Caseworker	21			1
½ Recreation Therapist	23		½	
1 Chaplain I	24		1	
2 Psychologist I	25		1	
1 Director, Social Services	27		1	
1 Psychologist III	31		1	
Current Status % Female <u>20%</u>				
Availability				
Labor Force %				47%
Feeder Group %				
Goal				3

Expanded Certification:                     Manifest  
                                  X Yes    No    Direct Hire    X Imbalance

EXPLANATION

UNIT: Maine Youth Center

GROUP: II. Professional

Other Professional	Range	Minority	Male	Female
1 Chief, Volunteer Services	19			1
1 Food Services Manager	20		1	
1 Supervisor, Recreation	20		1	
1 Assistant Director, Cottage Program	24			1
Current Status % Female <u>33%</u>				
Availability				
Labor Force %				49%
Feeder Group %				
Goal				1

Expanded Certification:                     Manifest  
                                  X Yes   No   Direct Hire   X Imbalance

EXPLANATION

UNIT: Maine Youth Center

GROUP: III. Technicians

	Range	Minority	Male	Female
½ Dental Hygienist	15			½
Current Status % Female <u>100%</u>				
Availability				
<u>Labor Force %</u>				
<u>Feeder Group %</u>				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

UNIT: Maine Youth Center

GROUP: IV. Protective Services

	Range	Minority	Male	Female
73 Training School Counselor I	12	1	50	22
Current Status % Female <u>30%</u>				
Availability				
Labor Force %				23%
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Obviously, no goal is necessary.

UNIT: Maine Youth Center

GROUP: IV. Protective Services

	Range	Minority	Male	Female
47 Training School Counselor II	15		34	10
Current Status % Female <u>29%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Obviously , no goal is necessary.

UNIT: Maine Youth Center  
 GROUP: IV. Protective Services

	Range	Minority	Male	Female
4 Training School Counselor Supervisors	17		4	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				29%
Feeder Group %				
Goal				1

Expanded Certification:                      
                                   X Yes           No           Direct Hire      X Manifest Imbalance

EXPLANATION



UNIT: Maine Youth Center  
 GROUP: VI. Office Clerical

Other Clerical	Range	Minority	Male	Female
1 Clerk Typist II	08			1
8 Clerk Steno II	09			8
2 Account Clerk I	09		1	1
2 Clerk Steno III	13			2
Current Status % Female <u>92%</u>				
Availability				
Labor Force %				99%
Feeder Group %				
Goal				-

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Although this job group is actually underutilized, to set a hiring goal is considered incongruent with the intent to expand employment opportunities for females.

UNIT: Maine Youth Center  
 GROUP: VI. Office Clerical

Stores	Range	Minority	Male	Female
1 Storekeeper I	09		1	
Current Status % Female <u>0%</u>				
Availability				
<u>Labor Force %</u>				
<u>Feeder Group %</u>				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Because this is a single incumbent job group, it is statistically insignificant. No availability analysis was conducted nor any hiring goal established.

**UNIT:** Maine Youth Center  
**GROUP:** VII. Skilled Crafts

	Range	Minority	Male	Female
1 Boiler Operator	12		1	
1 Carpenter	14		1	
1 Electrician I	14		1	
5 Correctional Maintenance Mechanic	14		5	
1 Plumber I	14		1	
1 Boiler Engineer	16		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				8%
Feeder Group %				
Goal				1

Expanded Certification:                                              
           Yes            No            X Direct Hire            X Manifest  
Imbalance

## EXPLANATION

UNIT: Maine Youth Center

GROUP: VIII. Service Maintenance

	Range	Minority	Male	Female
3 Laborer II	06	1	3	
1 Baker I	09		1	
2 Cook II	12		2	
1 Baker II	14		1	
1 Cook III	17		1	
1 Supervisor, Grounds & Transp. Svc.	19		1	
1 Building Maintenance Supervisor	20		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				56%
Feeder Group %				
Goal				5

Expanded Certification:                      
X Yes      No X Direct Hire X Manifest Imbalance

EXPLANATION

UNIT: Charleston Correctional Facility

GROUP: I. Officials/Administrators  
Administration

1 Assistant Superintendent, Corrections  
1 Chief of Security

Range	Male	Female
28 26	1 1	
Current Status % Female _____		
Availability		
Labor Force %		
Feeder Group %		
Goal		

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: CHARLESTON CORRECTIONAL FACILITY

GROUP: II. Professional

Administration		Range	Minority	Male	Female
1 Business Manager I		21		1	
1 Training Center Manager		24		1	
Current Status % Female _____					
Availability					
Labor Force %					
Feeder Group %					
Goal					

Expanded Certification: \_\_\_\_\_ Manifest  
 \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: Charleston Correctional Facility

GROUP: II. Professional

Teacher	Range	Minority	Male	Female
3 Correctional Trades Instructor	14		3	
2 Teacher	21			1
3 Vocational Trades Instructor	21		3	
Current Status % Female <u>25%</u>				
Availability				
Labor Force %				14%
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Obviously, no goal is necessary.

UNIT: Charleston Correctional Facility

GROUP: II Professional

Other Professional	Range	Minority	Male	Female
1 Plant Maintenance Engineer I	20		1	
Current Status % Female _____				
Availability				
Labor Force % _____				
Feeder Group % _____				
Goal _____				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Because this is a single incumbent job group, it is statistically insignificant.  
No availability analysis was conducted nor any hiring goal established.



UNIT: Charleston Correctional Facility

GROUP: II. Professional

Fiscal	Range	Minority	Male	Female
1 Accountant I	14			1
Current Status % Female <u>100%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

**GROUP:** IV. Protective Services

Expanded Certification: \_\_\_\_\_  
(CO II)      X Yes      \_\_\_\_\_ No      X Direct Hire      \_\_\_\_\_  
(CO I)                     X Manifest Imbalance

Twenty-seven percent (27%) represents the labor force availability of females for their initial hire of CO Is. To achieve the goal of five (5) females for this job group, a proportionate number of female CO Is must be promoted to the CO II level.

UNIT: Charleston Correctional Facility

GROUP: VI. Office Clerical

Other Clerical	Range	Minority	Male	Female
1 Clerk Typist II	08			1
1 Account Clerk I	09		1	
1 Clerk Typist III	12			1
Current Status % Female <u>66%</u>				
Availability				
Labor Force %				99%
Feeder Group %				
Goal				-

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Although this job group is actually underutilized, to set a hiring goal is considered incongruent with the intent to expand employment opportunities for females.

UNIT: Charleston Correctional Facility

GROUP: VI. Office Clerical

Stores	Range	Minority	Male	Female
1 Storekeeper I	09		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Because this is a single incumbent job group, it is statistically insignificant. No availability analysis was conducted nor any hiring goal established.

UNIT: Charleston Correctional Facility

GROUP: VII. Skilled Crafts

	Range	Minority	Male	Female
3 Boiler Operator	12		3	
4 Correctional Maintenance Mechanic	14		4	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				8%
Feeder Group %				
Goal				1

Expanded Certification:                             Manifest  
                                  Yes      No      X Direct Hire      X Imbalance

EXPLANATION

UNIT: Charleston Correctional Facility

GROUP: VIII. Service Maintenance

	Range	Minority	Male	Female
2 Cook II	12		2	
1 Grounds & Equipment Foreman	16		1	
1 Cook III	17		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				31%
Feeder Group %				
Goal				1

Expanded Certification:                              
       Yes        No   x   Direct Hire   x   Manifest Imbalance

EXPLANATION

UNIT: DOWNEAST CORRECTIONAL FACILITY

GROUP: II. Professional

Administration	Range	Minority	Male	Female
1 Business Manager I	21			1
1 Training Center Manager I	24		1	1
Current Status % Female _____				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Direct Hire \_\_\_\_\_ Manifest Imbalance

EXPLANATION

The positions in this job group have been combined with similar positions for the purpose of availability analysis and establishing hiring goal.

UNIT: Downeast Correctional Facility

GROUP: II. Professional

Psychological/Chaplaincy Social Services	Range	Minority	Male	Female
1 Correctional Caseworker	21			1
Current Status % Female <u>100%</u>				
Availability				
<u>Labor Force %</u>				
<u>Feeder Group %</u>				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.



UNIT: Downeast Correctional Facility

GROUP: II. Professional

Fiscal	Range	Minority	Male	Female
1 Accountant I	14			1
Current Status % Female <u>100%</u>				
Availability				
<u>Labor Force %</u>				
<u>Feeder Group %</u>				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

UNIT: Downeast Correctional Facility

GROUP: II. Professional

Teacher	Range	Minority	Male	Female
2 Correctional Trades Instructor	14		2	
2 Teachers	21		1	1
3 Vocational Trades Instructor	21		3	
Current Status % Female <u>14%</u>				
Availability				
Labor Force %				45%
Feeder Group %				
Goal				2

Expanded Certification: ☐ Yes ☐ No ☒ Direct Hire ☒ Manifest Imbalance

EXPLANATION

**GROUP:** IV. Protective Services

Expanded Certification: \_\_\_\_\_  
(CO II)      X Yes      \_\_\_\_\_ No.      X Direct Hire      X Manifest Imbalance  
(CO I)

Fourteen (14%) represents the labor force availability of females for their initial hire as CO Is. To achieve the goal of three (3) females in this job group, a proportionate number of female CO Is must be promoted to the CO II level.

UNIT: Downeast Correctional Facility

GROUP: VI. Office Clerical

Stores	Range	Minority	Male	Female
1 Storekeeper I	09		1	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Because this is a single incumbent job group, it is statistically insignificant. No availability analysis was conducted nor any hiring goal established.

UNIT: Downeast Correctional Facility

GROUP: VI. Office Clerical

Other Clerical	Range	Minority	Male	Female
1 Clerk Typist II	08			1
1 Account Clerk I	09			1
1 Clerk Steno III	13			1
Current Status % Female <u>100%</u>				
Availability				
Labor Force %				
Feeder Group %				
Goal				

Expanded Certification: ☐ Yes ☒ No ☐ Direct Hire ☐ Manifest Imbalance

EXPLANATION

Neither availability analysis nor goal are necessary for this particular job group.

UNIT: Downeast Correctional Facility

GROUP: VII. Skilled Crafts

	Range	Minority	Male	Female
3 Correctional Maintenance Mechanic	14		3	
Current Status % Female <u>0%</u>				
Availability				
Labor Force %				3%
Feeder Group %				
Goal				1

Expanded Certification:      Yes      No   X   Direct Hire   X   Manifest Imbalance

EXPLANATION

UNIT: Downeast Correctional Facility

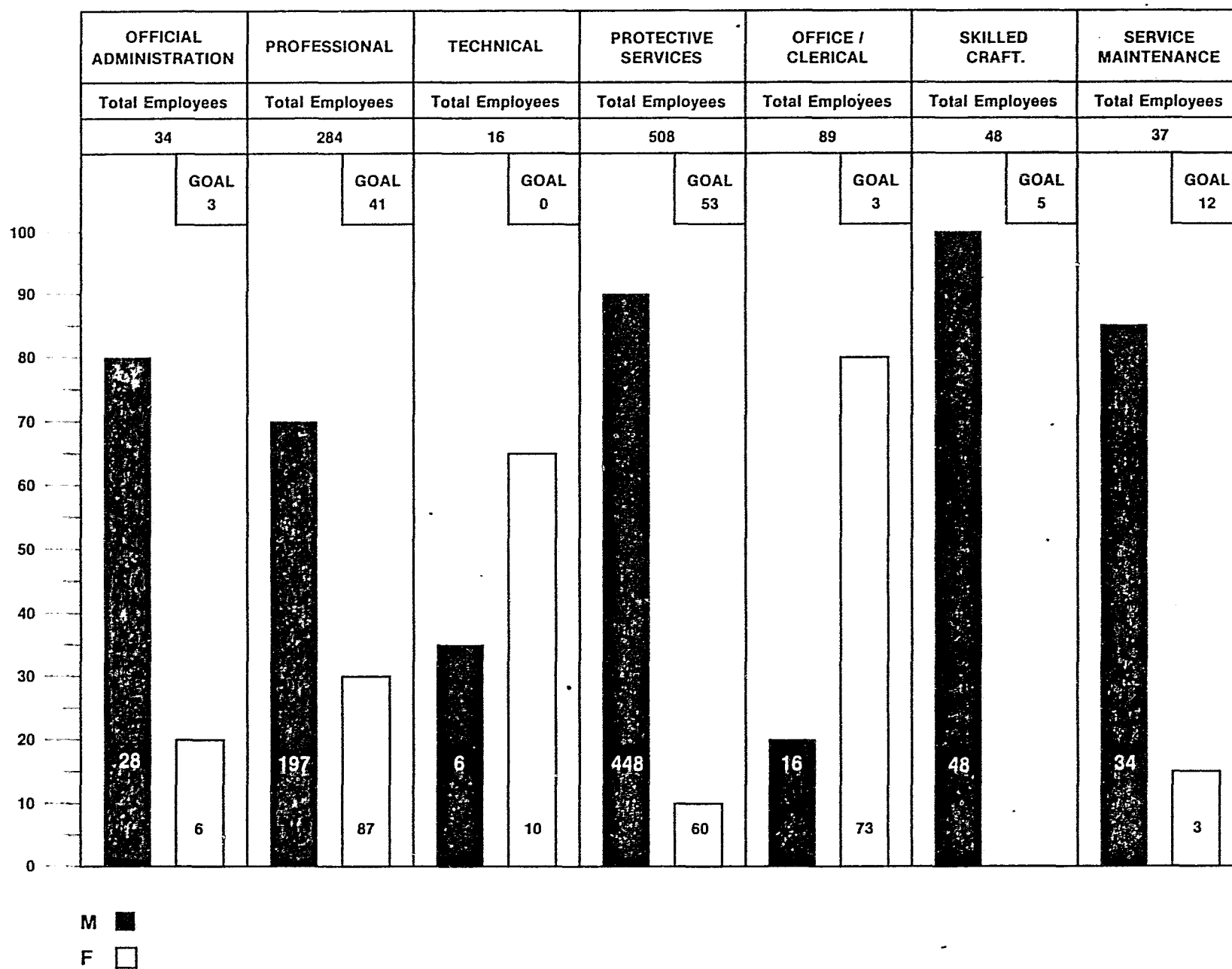
GROUP: VIII. Service Maintenance

	Range	Minority	Male	Female
2 Cook II	12		1	1
1 Cook III	17		1	
1 Grounds & Equipment Foreman	16		1	
Current Status % Female <u>25%</u>				
Availability				
Labor Force %				54%
Feeder Group %				
Goal				1

Expanded Certification:                             Manifest  
                                  Yes No X Direct Hire X Imbalance

EXPLANATION

# DEPARTMENT OF CORRECTIONS





AA PROGRAMS GOALS & OBJECTIVES

## AFFIRMATIVE ACTION PROGRAM GOALS & OBJECTIVES

Affirmative action refers to specific, results-oriented action by an employer to promote and achieve equal employment opportunity. Such action exceeds the parameters of a policy of non-discrimination, because it is designed and utilized to eliminate the present effects of historic discrimination and stereotype employment patterns. A successful program requires a good faith effort to identify and remove artificial employment barriers and take appropriate remedial action to ensure equal employment opportunity.

Following an analysis of the Department of Corrections employment environment and process, relevant program goals and objectives have been established. Certain of these goals and objectives are, of necessity, extensions of those of the Department of Administration.

## GOAL #1 - RECRUITMENT

### ANALYSIS

A growing need for concerted coordinated recruitment efforts is acknowledged in that

- a) a general decrease of available qualified employment candidates in the labor force is evident and,
- b) the limited number of females available in the feeder groups deter the sufficient increase of number of women in administrative supervisory roles in this Department.

### GOAL/OBJECTIVE

- 1) To develop and implement employment recruitment plan/strategies for the Department with particular emphasis upon women and minorities.\*
- 2) To provide employment opportunities information and invitations to apply to agencies with primary constituencies of women and minorities\* and to similarly situated departments in other states.

### RESPONSIBILITY

Departmental Affirmative Action Officer

### TIMETABLE

"Women and Minorities Encouraged to Apply" in advertisements - Immediate and Ongoing.

New Recruitment Sources: October 1, 1987

Employment Recruitment Plan - February 1, 1988

\*The minority population (primarily Native Americans) is 3.3% in Washington County, the location of Downeast Correctional Facility. Because of that statistic, with 55 employees at this facility, the appropriate "goal" of two has currently been met. However, the hiring authorities should consider the existing ratio of minorities in making future employment decisions.

## GOAL #2 - EXPANDED CERTIFICATION

### ANALYSIS

The use of expanded certifications for women and minorities must be closely monitored to assure that they are being used when necessary to meet affirmative action goals and use is terminated when goals are met. Certifications will continue to be expanded for handicapped individuals in all classifications.

### GOAL/OBJECTIVE

The list of classifications to be expanded will be sent to the Personnel Officer of each agency. A system will be developed to monitor selections and the Personnel Officer and its respective agency notified when a goal has been reached and expanded status terminated.

### RESPONSIBILITY

Departmental Affirmative Action Officer

### TIMETABLE

Immediate and ongoing

### GOAL #3 - AFFIRMATIVE ACTION MONITORING SYSTEM

#### ANALYSIS

This Department's Affirmative Action Program, once implemented, requires ongoing maintenance and monitoring to ensure success. There is presently no mechanism in place to achieve this.

#### GOAL/OBJECTIVE

A formal internal monitoring plan will be developed and implemented through the Director of Personnel and the Department's Personnel Officers. Areas to be considered include the following:

- Selection procedures (screening criteria, interview questions, testing).
- Reasons for non-selection, particularly in underrepresented jobs.
- EEO/AA performance standards for supervisors and managers.
- Records on training requests/attendance.
- Type of recruitment/certification being used in underrepresented jobs.
- EEO/AA data on direct hire applications.
- Use of expanded certifications.

#### RESPONSIBILITY

Departmental Affirmative Action Officer  
Departmental Personnel Director  
Department's Personnel Officers

#### TIMETABLE

January, 1988 - Ongoing

#### GOAL #4 - APPLICANT FLOW INFO

##### ANALYSIS

Applicant flow data is critical to the analysis of barriers to meeting affirmative action goals. For competitive positions, this data is available from the Bureau of Human Resources. It is also available for direct hire positions if the agency is submitting information in a timely manner.

##### GOAL/OBJECTIVE

1. The present system for handling the EEO/AA data on direct hire applications will be examined to assure that:
  - The information is being separated from the application upon receipt and is not seen by any staff responsible for hiring; and
  - The information is being correctly summarized and forwarded to the Bureau of Human Resources for entry into the computer.
2. Once the above has been accomplished, the applicant flow data for underrepresented positions will be analyzed for adverse impact in the testing process and for recruitment problems. If these problems are identified in competitive positions, it will be reported to the State Affirmative Action Coordinator; if in direct hire positions, immediate corrective action will be taken.

##### RESPONSIBILITY

Departmental Affirmative Action Officer

##### TIMETABLE

No. 1 - February 1, 1988

No. 2 - Semi-annually

**GOAL #5 - REASONABLE ACCOMMODATIONS/TESTING**

**ANALYSIS**

The Department of Corrections is committed to providing reasonable accommodations to disabled applicants and employees. It is important to consider each request for accommodation individually in order to serve the individual's and State's interests most effectively.

**GOALS/OBJECTIVE**

A procedure for reviewing requests for accommodation from applicants and employees will be developed and implemented. The procedure will involve the Departmental Affirmative Action Officer in all such reviews and provide for contacting the State Affirmative Action Coordinator when it appears that the Department cannot provide the accommodation.

**RESPONSIBILITY**

Departmental Affirmative Action Officer

**TIMETABLE**

January 1, 1988

## GOAL #6 - AA/EEO TRAINING

### ANALYSIS

Many of the Department's managers and supervisors have not received training in the area of EEO/AA. Since much of the responsibility for the program's success and the prevention of sexual harassment rests with supervisors and managers, it is critical that appropriate training is provided.

### GOAL/OBJECTIVE

A training plan for managers and supervisors will be developed and implemented to address EEO laws and affirmative action responsibilities. Particular emphasis will be placed on differential treatment, a more subtle yet equally destructive and illegal form of discrimination.

### RESPONSIBILITY

Departmental Affirmative Action Officer

### TIMETABLE

February 1, 1988



**GOAL #7 - SEXUAL HARASSMENT TRAINING**

**ANALYSIS**

Sexual harassment is considered such a crucial issue by the Commissioner that training in this area has been mandatory for all employees in this Department since 1984.

**GOAL/OBJECTIVE**

Sexual harassment training will be provided to all new employees; additional training, regarding management responsibility, will be provided for those individuals promoted to management/supervisory positions.

**RESPONSIBILITY**

Departmental Affirmative Action Officer

**TIMETABLE**

Ongoing

## GOAL #8 - UNDERREPRESENTATION IN DIRECT-HIRE

### ANALYSIS

The expanded certification is an effective tool to increase opportunities for women, minorities and handicapped individuals in underrepresented job groups in competitive classifications. There is no comparable mechanism in direct hire positions and that is where the Department's greatest female underrepresentation exists.

### GOAL/OBJECTIVE

The direct hire selection process within each agency will be examined to:

1. assure that criteria and steps are job validated, and;
2. develop and implement an effective duplication of the "expanded" concept. The implementation of this procedure will be carefully controlled and monitored by the Departmental Affirmative Action Officer.

### RESPONSIBILITY

Departmental Affirmative Action Officer

### TIMETABLE

June 1, 1988

## GOAL #9 - UPWARD MOBILITY

### ANALYSIS

The upward mobility of women in this Department is unquestionably restricted. Women tend to be concentrated in the lower paying, traditionally female occupations. It is speculated that a number of factors are influencing this situation: qualification requirements, labor contracts, salary/responsibilities, as well as personal choices.

### GOAL/OBJECTIVE

Statistics will be gathered and analyzed to determine why so few women seek/achieve upward mobility within the Department. Recommendations for remedial action will be made to the Commissioner.

### RESPONSIBILITY

Departmental Affirmative Action Officer

### TIMETABLE

Report to Commissioner August 1, 1988

## GOAL #10 - DISCRIMINATION COMPLAINT PROCEDURE

### ANALYSIS

While several channels for resolutions have been identified and defined in various training sessions and informational materials, methods for responding to expressed concerns regarding possible discrimination and/or actual discrimination complaints should be evaluated and refined, if necessary.

### GOAL/OBJECTIVE

The existing practice/procedure for responding to concerns/complaints of discrimination, both within the agencies and at the Departmental level, will be evaluated. Revision and clarification will be made where considered necessary.

### RESPONSIBILITY

Departmental Affirmative Action Officer

### TIMETABLE

April 1, 1988

## GOAL # 11 - HANDICAPPED DEFINITION

### ANALYSIS

Because of restrictions posed by the safety and security issues inherent in the correctional system, the questions of reasonable accommodations for the handicapped employees become complex ones. Attitudinal barriers may well exist which keep the thinking regarding handicapped individuals and their potential in a stereotypic rather than a realistic purview.

### GOAL/OBJECTIVE

A general definition of "handicapped", as it would apply to employment in the protective security position in Corrections will be drafted and submitted to the Maine Human Rights Commission for review.

### RESPONSIBILITY

Departmental Affirmative Action Officer

### TIMETABLE

March 1, 1988

## CONCLUSION

## CONCLUSION

The ultimate goal of this plan is to have a personnel system which is fair and facilitates the employment and advancement of persons according to their respective qualifications rather than any stereotypic bias under such a system, the principles of equal employment opportunity and affirmative action would be interwoven in its basic functions.

Attainment of this goal shall be accomplished through the concerted efforts of Department of Corrections employees to achieve progressive improvements in personnel practices, policies and procedures. By establishing a wide range of program and numerical goals which are meaningful and attainable, the Department should be able to adequately address its EEO/AA needs.

Hopefully, equal employment opportunities, within this Department, will be facilitated by the following:

- (1) Enabling qualified protected group applicants to access and move within the system through improved recruiting, processing and examination procedures.
- (2) Knowledgeable and accountable managers and supervisors making employment decisions in furtherance of EEO/AA.
- (3) Utilization of the Affirmative Action Plan to identify and remedy barriers to employment.

The plan will be updated and new goals established in October 1988.

CHAPTER

JUN 21 '85

388

BY GOVERNOR

PUBLIC LAW

## STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-FIVE

S.P. 166 - L.D. 453

AN ACT to Amend the Code of Fair Practices  
and Affirmative Action as the Equal  
Opportunity Standard for State  
Financed Agencies.

Be it enacted by the People of the State of Maine as  
follows:

Sec. 1. 5 MRSA §782, as enacted by PL 1975, c.  
153, §1, is amended to read:

§782. Definition of affirmative action

An affirmative action program includes procedures designed to increase the numbers of minorities and women and handicapped at all levels and in all segments of the work force where imbalances exist. Such a program should include an assessment of the existing situation, and the development of realistic goals for necessary action. These goals and related procedures and timetables should not require rigid quotas, but are commitments which an employer should make every good faith effort to achieve.

Sec. 2. 5 MRSA §§783 to 787, as enacted by PL 1975, c. 153, §1, are amended to read:

§783. Appointment, assignment and promotion of personnel

Officials and supervisory employees shall appoint, assign and promote personnel on the basis of merit and fitness, without regard to race, color, religious creed, national origin, sex, ancestry, age



or, physical handicap or mental handicap, unless related to a bona fide occupational qualification. Each appointing authority shall designate an equal opportunity affirmative action officer. The officer must be so placed within the agency's organizational structure that he or she shall have direct access to the appointing authority. Each department or agency shall prepare an affirmative action program for that department or agency in accordance with criteria set forth by the State Department of Personnel.

#### §784. State action and contracts

1. State action. No agency or individual employee of the State or state related agencies will discriminate because of race, color, religious creed, sex, national origin, ancestry, age or, physical handicap or mental handicap while providing any function or service to the public, in enforcing any regulation, or in any education, counseling, vocational guidance, apprenticeship and on-the-job training programs. Similarly, no state or state related agency contractor, subcontractor, or labor union or representative of the workers with which the contractor has an agreement, will discriminate unless based on a bona fide occupational qualification. State agencies or related agencies may withhold financial assistance to any recipient found to be in violation of the Maine Human Rights Act or the Federal Civil Rights Act. Any state agency or related agency shall decline any job order carrying a specification or limitation as to race, color, religious creed, sex, national origin, ancestry, age or, physical handicap or mental handicap, unless it is related to a bona fide job requirement.

2. Public contracts. Every state or state related agency contract for public works or for services shall incorporate by reference the following provisions: "During the performance of this contract, the contractor agrees as follows.

A. The contractor will not discriminate against any employee or applicant for employment because of race, color, religious creed, sex, national origin, ancestry or, age, physical handicap or mental handicap. Such action shall include, but

not be limited to, the following: Employment, upgrading, demotions, transfers, recruitment or recruitment advertising; layoffs or terminations; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

B. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religious creed, sex, national origin, ancestry or, age, physical handicap or mental handicap.

C. The contractor will send to each labor union or representative of the workers with which he has a collective or bargaining agreement, or other contract or understanding, whereby he is furnished with labor for the performances of his contract, a notice, to be provided by the contracting department or agency, advising the said labor union or workers' representative of the contractor's commitment under this section and shall post copies of the notice in conspicuous places available to employees and to applicants for employment."

D. The contractor will cause the foregoing provisions to be inserted in all contracts for any work covered by this agreement so that such provisions will be binding upon each subcontractor.

#### §785. State employment services

Any state agency or state related agency engaged in employment, referral or placement service for private industry or public agencies shall fill all job orders on a nondiscriminatory basis, and shall decline any job order carrying a specification or limitation as to race, color, religious creed, sex, national origin, ancestry or, age, physical handicap or mental handicap, unless it relates to a bona fide job requirement.

#### §786. Training for job opportunities

All educational and vocational-guidance counsel-

ing programs and all apprenticeship and on-the-job training programs conducted, supervised or funded by the State or state related agency shall be conducted to encourage the fullest development of interest and aptitudes without regard to race, color, religious creed, sex, national origin, ancestry ~~or~~, age, physical handicap or mental handicap, unless sex or age relates to a bona fide job requirement. In the event that any such programs are conducted in conjunction with private employers or private educational institutions, the supervising or contracting department or agency shall insure that the provisions of this subchapter are complied with fully by such private employer or private educational institution.

§787. State financial assistance

No state agency or state related agency shall approve a grant of state financial assistance to any recipient who is engaged in discriminatory practices. All recipients of state financial assistance shall submit to the Maine Human Rights Commission, at its request, information relating to the recipient's operations with regard to race, color, religious creed, sex, national origin, ancestry ~~or~~, age, physical handicap or mental handicap. Such information shall be furnished on a form to be prescribed by the Maine Human Rights Commission.

Sec. 3. 5 MRSA §§788 and 789, as enacted by PL 1975, c. 153, §1, are amended to read:

§788. The State Department of Personnel

The State Department of Personnel shall take positive steps to insure that the entire civil service examination and testing process, including the development of job specifications and employment qualifications, is free from either conscious or inadvertent bias. Furthermore, the Department of Personnel will have the initial responsibility of resolving civil service conflicts and complaints, changing administrative procedures when necessary and providing assistance for preparing affirmative action programs. It is the responsibility of the Equal Opportunity Personnel Specialist State Affirmative Action Coordinator in the Department of Personnel to monitor

the civil service affirmative action program and insure compliance with all federal and state regulations.

§789. Human Rights Commission

All affirmative action programs, whether part of the civil service or not, shall be subject to the review and comment of the Human Rights Commission.

All powers and duties granted to the Maine Human Rights Commission under sections 4551, et seq., as amended, apply to this section. Complaints of discrimination based on race, color, religious creed, sex, national origin, age ~~or~~, physical handicap or mental handicap should be made to the Maine Human Rights Commission.

NOTE: All references to Department of Personnel have been changed to the Bureau of Human Resources.

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In House of Representatives, ..... 1985

Read twice and passed to be enacted.

..... Speaker

---

In Senate, ..... 1985

Read twice and passed to be enacted.

..... President

---

Approved ..... 1985

..... Governor

## APPENDIX B

### AFFIRMATIVE ACTION TERMINOLOGY

**ADVERSE IMPACT** - A substantially different rate of selection in hiring, promotion, or other employment decision, which works to the disadvantage of members of a racial, sex, or ethnic group.

**AFFECTED CLASS** - A group of people with a common characteristic (i.e., race, religion), who have been denied equal employment opportunity in violation of Title VII of the Civil Rights Act of 1964. This denial may occur at any step in the employment process.

**AFFIRMATIVE ACTION** - Specific, planned actions designed to provide equal employment opportunities by eliminating the present effects of past discrimination.

**AFFIRMATIVE ACTION PLAN** - The employer's written statement of policy, goals, timetables, and responsibilities for providing equal opportunities in all phases of employment. This plan indicates how management will meet its commitment to increase the representation of minorities, handicapped individuals, women, etc., in areas of the workforce where they are underutilized. It is a results oriented program.

**AFFIRMATIVE RECRUITMENT** - Special recruitment efforts undertaken to assure that qualified minorities, handicapped individuals, women, etc., are well represented in the applicant pools for positions in which they have been excluded or substantially underutilized.

**AGE DISCRIMINATION IN EMPLOYMENT ACT** - Federal law prohibiting employment discrimination against persons 40 -70 on the basis of age, except where age is a bona fide occupational qualification.

**AMERICAN INDIAN OR ALASKAN NATIVE** - All persons having origins in any of the original people of North America, and who maintain cultural identification through tribal affiliation or community recognition.

**APPLICANT FLOW** - The number of applicants applying for a particular job over a given period, analyzed by group characteristics.

**ASIAN OR PACIFIC ISLANDERS** - All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands.

**BLACK** - All persons having origins in any of the Black racial groups of Africa.

**BONA FIDE OCCUPATIONAL QUALIFICATION** - Under the Civil Rights Act of 1964, Title VII, it is not an unlawful employment practice to engage in an employment practice, otherwise prohibited, on the basis of religion, sex, or national origin, where the religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the business. A BFOQ is a genuine, minimum qualification required as a prerequisite to be hired and succeed on a particular job. The employer assumes burden of proof of the qualification's validity.

**BUSINESS NECESSITY** - Criteria placed on applicants that are valid and necessary for the effective conduct of the organization objectives and the particular job. Such criteria may operate to exclude members of a protected class. The burden is on the employer to demonstrate that the practice is necessary to safe and efficient operation and that there are no acceptable alternatives which would accomplish the business purpose equally well with a lesser impact on the protected class.

**CHARGING PARTY** - Also complainant. One claiming to have been discriminated against.

**CLASS ACTION** - Civil suit brought by one or more individuals on behalf of themselves and "all others similarly situated." The action seeks a judicial remedy which will eliminate the discrimination and give just compensation to the individual and all others in a definable class who have suffered as a result of the same practice or practices.

**CODE OF FAIR PRACTICES AND AFFIRMATIVE ACTION** - Maine's equal opportunity standard for state financed agencies. Mandates EEO and affirmative action.

**COMPLIANCE AGENCY** - A local, state, or federal government agency which administers laws or regulations in the EEO field. Such agencies have delegated enforcement responsibilities.

**CONCENTRATION** - More of a particular group in a job category or department than would reasonably be expected by their presence in the workforce.

**CONCILIATION** - The process by which a compliance agency attempts to settle a formal discrimination complaint through agreement with the respondent, after a finding of reasonable cause and prior to instituting a civil action. The objectives of conciliation are relief for the person or affected class and correction of the practices which led to the complaint (sometimes specific affirmative action is undertaken). The agreement usually indicates that it does not constitute an admission or finding that unlawful discrimination did or did not occur.

**DISCRIMINATION** - In EEO law, an act or acts with effects which are adverse to the employment opportunities of one or more individuals, because of their race, color, religion, sex, age, or other factors which under particular laws may not be considered as a basis for employment actions.

**DISPARATE EFFECT** - The tendency for a test, job qualification or other employment practice to screen out or otherwise limit the employment opportunities of minorities, women, or other protected groups at a greater rate than others.

**DISPARATE EFFECT** - Not affecting all people in the same way.

**DISPARATE TREATMENT** - Employment practices, such as the use of tests or educational requirements, which are fair and neutral on their face, but which are applied or administered in an unfair manner.

**DISTRIBUTION RATE** - (1) The percentages to which a given protected class is employed in the various job titles, job classes, and other units within the employing organization; and (2) the percentages to which individuals of a given protected class are involved in various employment transactions, i.e., applications for employment, promotion, hiring.

**EEO-4 REPORT** - Annual report which state and local government employers must file with the EEOC regarding the sex and minority status of their workforce by job category and salary intervals.

**EFFECTIVE LABOR MARKET** - The labor market, measured geographically and by characteristics of the qualified potential applicants, from which an employer actually draws applicants and employees - as distinct from the labor market from which an employer hopes or attempts to draw applicants.

**EMPLOYMENT PRACTICE** - Any test, educational requirement, job qualification, application or other form, interviewing system, applicant processing procedure, recruitment, or any other function of the employment system which operates as a screening device. It can operate at any point in the employment cycle, i.e., design of the job, benefits and terms and conditions, termination.

**ENFORCEMENT ACTION** - A lawsuit or administrative proceeding leading to debarment from or withholding, suspension, or termination of federal contracts or the withholding or suspension of federal funds.

**EQUAL EMPLOYMENT OPPORTUNITY** - The right of all people to work and advance on the basis of merit, ability, and potential regardless of race, sex, religion, national origin, mental or physical handicap, age, or other factor which cannot lawfully be the basis for employment actions.



**EQUAL PAY ACT OF 1963** - Federal law prohibiting unjustified pay differentials on the basis of sex (for covered employment).  
Equal pay for men and women performing similar work.

**ETHNIC GROUP** - Under the Uniform Guidelines on Employee Selection Procedures: "A group identified on the basis of religion, color, or national origin."

**EXECUTIVE ORDER** - Regulation by the President or a State Chief Executive which has the effect of law in the governmental matters with which it deals.

**EXECUTIVE ORDER 4** - Policy of the State of Maine, which prohibits discrimination in the employment of ex-offenders and ex-patients of the State correction and mental health institutions.

**EXECUTIVE ORDER 11246** - (Amended by 11375) Presidential order requiring a non-discrimination clause covering employment in all contracts (for more than \$10,000) with the federal government. Also prohibits employment discrimination by sub-contractors. Contractors and sub-contractors with 50 or more employees and contracts/sub-contracts amounting to \$50,000 must develop and implement written affirmative action programs.

**GOALS AND TIMETABLES** - Numerical projections an employer makes of the representation protected groups are likely to achieve in positions in which they have been underutilized, if the employer applies good faith effort to assure that all aspects of the employer's affirmative action plan are made to work. They are not quotas.

**GOOD FAITH EFFORT** - Employer's broad and active efforts to assure that all aspects of its affirmative action plan work together as a whole. The projected results of such efforts are required, to be measured by goals and timetables.

**GRIGGS v. DUKE POWER** - The U.S. Supreme Court decision, in which it was decided that employment tests or qualifications which screen out minorities or women at a greater rate than others cannot be used unless the employer proves that the screening device in question is manifestly related to the job for which it is used.

**HANDICAPPED** - Any person who (1) has a physical or mental impairment which substantially limits one or more of such a person's major life activities; (2) has a record of such impairment; or, (3) is regarded as having such an impairment.

**HISPANIC** - All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race.

**INCIDENCE RATE** - A measurement of the degree to which a specific protected class is involved in any of the various steps of the employment process. (Example - 80 black employees and 20 promoted, so there's a 25% incidence rate). As a measure of compliance, this rate is compared with the degree to which the specific protected class is represented in the relevant labor market.

**JOB CATEGORY** - A grouping or aggregation of job classifications for purposes of analysis or official reporting. Groups contain jobs of similar content and wage rates.

**JOB DESCRIPTION** - Description of the actual work to be performed by the incumbent in a particular position. Written job descriptions are necessary to establish comparability of various positions to determine pay, eligibility for promotion, and other matters. Statement of duties and responsibilities.

**JOB QUALIFICATIONS** - Requirements of education, experience, and other factors to be hired, promoted, or transferred into a particular job.

**JOB SPECIFICATIONS** - Generally, a formal listing of functions and necessary qualifications for a position being created. In most cases, the development of specifications is part of the process of modifying an existing position or creating a new one. Specifications, which set forth greater levels of complexity or higher qualifications than are validly related to performance of a job, may have discriminatory impact.

**JOB STREAM** - A series of jobs or job classifications in which there is normally an upward progression from one to another.

**MAINE HUMAN RIGHTS ACT** - State policy against infringement on the right to life with dignity, seeking corrective measures where practices infringe upon this right. Relative to employment, the Act prohibits discrimination on account of race, color, sex, physical or mental handicap, religion, age, ancestry or national origin.

**MAINE HUMAN RIGHTS COMMISSION** - Investigates all conditions and practices within the State which allegedly detract from the enjoyment of full human rights and personal dignity. It investigates all forms of invidious discrimination and, based on investigations, it recommends measures calculated to promote the full enjoyment of human rights and personal dignity.

**MAJOR LIFE ACTIVITIES** - Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

**MEDIATION** - Process by which a conciliator, EEO consultant, or other person whose role is to facilitate conflict or complaint resolution acts as intermediary between parties to an EEO complaint with the intent of bringing it to a conclusion which is satisfactory to all parties, without formal litigation.

**MINORITY** - Includes blacks, Hispanics, American Indians or Alaskan Natives, Asian or Pacific Islanders. A group which constitutes 2% or more of the population of the relevant labor area.

**OFFICE OF FEDERAL CONTRACT COMPLIANCE** - Department of Labor office which administers E.O. and its implementing regulations.

**PARITY** - The employment of women and minority group members in various job categories at rates approximating the rates at which validly qualified members of those groups are available for employment in those categories.

**PARTICIPATION RATE** - (1) The percentage of incumbents of a job title, class, department, or other organization unit (including the entire organization) who belong to a given protected class; and (2) the percentage of individuals involved in an employment process transaction (i.e., application, separation, promotion) who belong to a given protected class.

**PHYSICAL OR MENTAL IMPAIRMENT** - (1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs, respiration, including speech organs; cardiovascular; reproductive, digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or (2) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

**PREFERENTIAL TREATMENT** - More favorable treatment accorded to one group, because of their race, sex, or other factor not related to job performance. This is prohibited in hiring except where a court has established a remedial quota. Preferential treatment in the form of special recruitment efforts for minorities and women is required of government contractors for positions in which they have been "underutilized."

**PRESENT EFFECT OF PAST PATTERNS OF DISCRIMINATION** - The Equal Employment Opportunity Commission and courts have held that employers are liable for correcting situations in which employees continue to suffer the "present effects of past patterns of discrimination." This can mean that an employer who should, in the eyes of the EEOC and/or courts, have been promoted 3 years ago is still entitled to be "made whole." Being made whole can be accomplished through retroactive pay or seniority, or some other costly means.

**PROTECTED CLASS** - As popularly used, this refers to groups protected by anti-discrimination laws. Title VII protects any person - including a white male - who is discriminated against because of race, sex, color, etc.

**QUALIFIED HANDICAPPED PERSON** - With respect to employment, a person who, with reasonable accommodation, can perform the essential functions of the job in question.

**QUOTAS** - Court-ordered hiring and/or promoting of specified numbers or ratios of minorities or women in positions from which a court has found they have been excluded as a result of unlawful discrimination. Quotas, which discriminate against males and/or members of the majority in hiring or promotions, cannot be undertaken by an employer without court sanction. They may be imposed on unions to remedy discrimination in admission to membership. Quotas are not the same as goals and timetables.

**RATIO HIRING** - Under a court-ordered quota-hiring formula, a system by which separate eligibility lists are established for white and/or males on one hand and minorities and/or women on the other hand, and the employer is required to select candidates from each list in a specified ratio for a given period of time or until a given representation of minorities and/or women is achieved in the positions covered by the court order.

**REASONABLE ACCOMMODATION** - Under the Rehabilitation Act of 1973, reasonable accommodation to the handicaps of applicants and employees is required, unless it would cause the employer undue hardship. Such accommodation may include: making facilities readily accessible to and usable by handicapped persons; modified work schedules, job restructuring; and acquisition or modification of equipment.

**REASONABLE CAUSE** - A determination made (by EEOC/MHRC), after investigation of a charge of employment discrimination, that there is a basis to believe that the charge is true. Such a finding is administrative, tentative in nature from a judicial point of view. Sometimes referred to as probable cause.

**RECORD OF PHYSICAL OR MENTAL IMPAIRMENT** - Having a history of, or misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

**REGARDED AS HAVING AN IMPAIRMENT** - A person (1) has a physical or mental impairment that does not substantially limit major life activities, but that is treated by a recipient (employer) as constituting such a limitation; (2) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or (3) has none of the impairments defined under physical or mental impairment, but is treated by the recipient (employer) as having such an impairment.

**REHABILITATION ACT OF 1973** - Relative to employment, prohibits discrimination against qualified handicapped individuals and requires affirmative action for handicapped individuals. Federal contractors, sub-contractors, and recipients of funds are covered.

**RELEVANT LABOR MARKET** - In estimating the availability of minorities and women for jobs in particular categories, the labor market from which candidates normally are drawn for those jobs. The area in which you can reasonably expect to recruit.

**RESPONDENT** -The party (employer, union, etc.) charged with having discriminated in violation of Title VII or a parallel federal, state or local law or regulation.

**RETALIATION** - Title VII, Section 704(a) prohibits retaliation against an employee or applicant because he/she opposed a practice made an unlawful employment practice by Title VII; or because he/she made a charge, testified, assisted, or participated in an investigation, proceeding, or hearing under VII. Types of retaliation include harassment, disciplinary action, rejection, or denial of a benefit or privilege which the employee would otherwise have received.

**REVERSE DISCRIMINATION** - Term used popularly in reference to exclusion of whites or males in favor of women or minorities.

**REVISED ORDER NO.4** - Regulation specifies required contents of Affirmative Action Program required for contract compliance (federal).

**SELECTION PROCEDURE** - Any measure, combination of measures, or procedure used as a basis for any employment decision. Examples: written tests, performance tests, applications, interviews, and required training, experience and education.

**SEX DISCRIMINATION** - Exclusion or disparate or unfavorable treatment of an individual because of his/her sex. It may be intentional or systemic.

**SYSTEMIC DISCRIMINATION** - The use of tests, job qualifications, and other employment practices, which have the unintended effect of excluding certain groups, or limits their employment opportunities, which are not manifestly related to job performance, and which can be replaced by practices which do not have such adverse effect without unreasonable burden on the employer.

**TEST** - "Any paper-and-pencil or performance measure used as a basis for any employment decision...all formal, scored, quantified, or standardized techniques of assessing job suitability including...specific qualifying or disqualifying personal history or background requirements, specific educational or work history requirements, scored interviews...scored application forms, etc."

**THIRTEENTH AMENDMENT** - Under its provisions, the Civil Rights Act of 1966 was enacted-interpreted to mean racial discrimination in employment constitutes an abridgement of an individual's right to make an employment contract.

**TITLE VI** - (Civil Rights Act of 1964) Prohibits discrimination on the basis of race, color or national origin in the provision of benefits or services under programs receiving federal financial assistance - applicable to discrimination in employment only where the primary objective of the funding is to provide employment.

**TITLE VII** - (Civil Rights Act of 1967), amended by the EEO Act of 1972) prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin. Created EEOC to enforce provisions.

**UNDERUTILIZATION** - Having fewer members of a protected group in a particular job category than would reasonably be expected by their presence in the population or local labor force. Employing persons in jobs that do not make use of their skills and training.

**UNDUE HARDSHIP** - Factors to consider: (1) employer's size with respect to number of employees, budget, and type of facilities; (2) the type of business (including the composition and structure of the workforce); and (3) the nature and cost of the needed accommodation. In general, consider business necessity and financial costs. Some courts say this should be greater than hardship and it cannot be provided by reliance upon assumptions or opinions based on hypotheticals.

**UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES** - Regulation setting forth the standards by which federal compliance agencies determine the acceptability of validation procedures used for written tests and other selection devices.

**UNLAWFUL EMPLOYMENT PRACTICE** - Any policy or practice that is based on discriminatory practices or which tends to discriminate.

**UPWARD MOBILITY** - Creation of conditions in which members of protected groups (employees) can achieve advancement from lower positions to higher positions from which they have been excluded in the past. Generally, accomplished through efforts to eliminate discriminatory barriers and through training programs.

**VALIDATION** - Process by which one determines whether a selection procedure is related to the job(s) for which it is used (involves technical study of procedures) to predict performance. Under the Guidelines - a demonstration that a proper validity study was conducted and produced evidence of validity sufficient to warrant use of the procedure for its intended purpose.

**VETERANS' PREFERENCE** - Practice under which qualified individuals who served in the Armed Forces are given preferential treatment in hiring and often promotions. Title VII exempts veterans' preference practices - which have an adverse effect on women - from being overtunred as a result of the title's provisions.

**VIETNAM-ERA VETERANS READJUSTMENT ACT OF 1974** - Requires employers with federal contracts or sub-contracts of \$10,000 or more to take "affirmative action to hire and advance in employment" disabled and Vietnam-era veterans.

**WHITE** - All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

**WORD-OF-MOUTH RECRUITMENT** - Practice by an employer of relying on exclusively (or primarily) word-of-mouth recruitment among present employees, who are predominantly non-minority (or male), as a means of securing applicants for employment. Because of its adverse effect on minorities, such a practice has been found unlawful.

**WORKFORCE ANALYSIS** - Listing of each job title, ranked from lowest paid to highest paid within each department or other similar organizational unit including departmental or unit supervision. Set forth to show normal lines of progression as well as the sex and minority status of all incumbents.

## APPENDIX C

### DESCRIPTION OF JOB CATEGORIES

- (a) **Officials and Administrators:** - Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, examiners, wardens, superintendents, sheriffs, police and fire chiefs and inspectors and kindred workers.
- (b) **Professionals:** Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: Personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, system analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants and kindred workers.
- (c) **Technicians:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers and operators, drafters, surveyors, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences), assessors, inspectors, police and fire sergeants and kindred workers.
- (d) **Protective Service Workers:** Occupations in which workers are entrusted with public safety, security and protection from destructive forces. Includes: police patrol officers, fire fighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers and kindred workers.
- (e) **Paraprofessionals:** Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. Includes: library assistants, research assistants, medical aides, child support workers, police auxiliary, welfare service aides, recreation assistants, homemakers aides, home health aides, and kindred workers.



- (f) **Office and Clerical:** Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: book-keepers, messengers, office machine operators, clerk-typists, stenographers, court transcribers, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks and kindred workers.
- (g) **Skilled Craft Workers:** Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters and kindred workers.
- (h) **Service-Maintenance:** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners and groundskeepers, refuse collectors, construction laborers.

## DEPARTMENT OF PERSONNEL

January 8, 1982

PERSONNEL BULLETIN 8.14

TO: All Department/Agency Heads, Personnel Representatives, and Affirmative Action Officers

SUBJECT: AFFIRMATIVE ACTION CERTIFICATION

REFERENCE: Chapter 8, Sec. 5, Personnel Rules  
5 M.R.S.A., Chapter 65, Code of Fair Practices and Affirmative Action

PURPOSE: To establish guidelines for departments to implement the amendment to Chapter 8 of the Personnel Rules, which allows expansion of certification lists for affirmative action purposes.

Chapter 8 has been amended to permit the addition of female, minority, and disabled candidates from class registers to certifications of eligibles, if the particular group is underutilized or underrepresented. The amendment also permits the addition of males to certifications for vacancies in non-traditional job classes, when departments have non-traditional hiring obligations under federal grants. To be eligible to receive such additional candidates, an agency must have a documented underutilization or underrepresentation for the group requested as an addition. Documentation shall be the responsibility of the agency Affirmative Action Officer (AAO) or another designated employee. Documentation shall be according to the following criteria:

- (a) Underutilization or underrepresentation of women and minorities shall be documented in the availability analyses and utilization determinations of an agency's Affirmative Action Plan (AAP). The plan must also establish a verbal, numerical, or percentage hiring goal in identified areas of underutilization or underrepresentation. The plan shall be prepared according to the format prescribed by the Department of Personnel. Plans are to be submitted to the Affirmative Action Coordinator for review. Corrections relevant to underutilization or underrepresentation and hiring goals must be made subsequent to the review.
- (b) Underrepresentation of disabled persons shall be documented by surveys of the agency's work force to determine the percentage of disabled persons employed by the agency. Survey information should be obtained through the agency's Affirmative Action Plan (AAP) requirement to invite disabled employees to voluntarily identify themselves. The results of the survey, indicating the number of identified disabled employees and their percentage in

the agency's work force, shall be submitted to the Affirmative Action Coordinator. The Coordinator may request additional relevant information. Underrepresentation shall be determined by comparing the percentage of disabled employees in an agency's work force with the percentage of non-institutionalized disabled adults in the state's population. Agency AAP's should state a goal to hire disabled persons when they are underrepresented in the work force.

- (c) Underrepresentation of males in non-traditional job classes shall be documented by identification of non-traditional job classes within the agency and presentation of statistics showing low representation of males in these classes. These statistics should be in the utilization determinations of the AAP. Non-traditional classes and statistical evidence shall be submitted to the Affirmative Action Coordinator for review. Written evidence of the non-traditional hiring obligation must also be submitted to the Coordinator. This evidence may be excerpted from the federal grant, contract or governing regulation. The AAP should either state a goal of non-traditional hiring or be amended to include such a goal.

Upon completion of documentation requirements for eligibility, an agency must comply with the following procedures to receive the names of available underrepresented or underutilized candidates as additions to the certification:

- (a) The AAO or another designated employee will identify the underrepresented or underutilized job groups. From these groups, that person shall single out the job classifications for which expanded certifications will be requested. Where possible, work units should be reviewed to ensure that expanded certifications are not requested for work units which are not themselves deficient in the particular area which is underutilized or underrepresented overall in the agency. Lists of job groups and classes which are underutilized or underrepresented are to be submitted to the Affirmative Action Coordinator and the agency personnel representative.
- (b) The AAO or another designated employee will work with the agency personnel representative to insure that requisitions to fill vacancies in areas of underutilization or underrepresentation include requests for expanded certifications.
- (c) The personnel representative should refer to the list of underutilized or underrepresented classes prior to requesting a certification to fill a vacancy. If the vacancy is in one of these classes, an expanded certification should be requested on the PER Form 15. To request an expanded certification, check the "Other" box under Special Information, then indicate "AA Cert." and the group(s) you wish to have included with the certification (see sample form attached).

- (d) The AAO or another designated employee shall be responsible for developing a method of monitoring certifications to ensure that expanded certifications are properly requested and that such requests cease when goals are achieved.

Individuals responsible for interviewing candidates and making employee selections are to process certifications with additional names in the same manner that a normal certification is processed. While individuals making selections are to be aware of non-discrimination policies and agency affirmative action goals, selection decisions are to be job related and based upon applicant qualifications.

A handwritten signature in dark ink, appearing to read "David W. Bustin", with a long horizontal flourish extending to the right.

DAVID W. BUSTIN  
COMMISSIONER

PLEASE REPRODUCE LOCALLY TO MEET DISTRIBUTION PURPOSES

STATE OF MAINE  
DEPARTMENT OF PERSONNEL

October 16, 1980

PERSONNEL BULLETIN 10.5

TO: All Department/Agency Heads/Personnel and Affirmative Action Officers

SUBJECT: Development and Use of Performance Standards Specific to the Affirmative Action (AA) and Equal Employment Opportunity (EEO) Aspects of Management & Supervision

1. References:

- (a) Memorandum to all department and agency heads from Governor Joseph E. Brennan; subject: Agency Affirmative Action Officers; dated: 5/5/80.
- (b) 5 MRSA, Chapter 65, Code of Fair Practices and Affirmative Action.
- (c) Departmental Affirmative Action Plan, and state and federal guidelines on which this plan is based.

2. Purpose:

Purpose of this bulletin is to provide general guidelines for use by heads of departments and their Affirmative Action Officers to ensure effectual compliance with departmental AA plans and EEO objectives.

3. Guidelines:

- (a) Training and Orientation. Supervisors and managers should be well-informed of AA and EEO needs and requirements. Agency training should be provided as necessary to ensure supervisors and managers know how to apply the principles of AA and EEO to their particular work situations.
- (b) Job Definition. Tasks and performance standards prepared for supervisory and managerial positions should include AA and EEO aspects of job requirements. Performance standards for these AA and EEO aspects should be a definite part of the performance evaluation process for supervisors and managers:

EXAMPLE: The following task statement is selected as one representative of many levels of state government supervisors and managers.

TASK: Meets with/talks to/asks questions of persons under consideration for promotion, transfer or original hire in order to obtain information needed for selection and placement decisions.

PERFORMANCE STANDARDS:

Standards which may apply to this sample task, and which relate to AA/EEO requirements include:

- Provides all qualified employees equal opportunity to participate in agency-sponsored training programs important to or required for career-service mobility.
- Advises/informs employees of career-progression or mobility opportunities in a non-discriminatory manner.
- Prepares and conducts selection and placement interviews in accordance with departmental guidelines for non-discrimination (e.g., asks job-related questions, asks the same questions of all candidates, e'c.).
- Considers feasibility for making reasonable accommodation to tasks or work environment when handicapped persons are under consideration.
- References workforce analysis studies for possible under-utilization of women and minorities before final selection or placement decision is made.
- Documents procedures followed for each selection and placement interview, including rationale statements for selection and non-selection actions taken.

4. Agency Action Required:

Agency department heads and departmental Affirmative Action Officers are asked to review performance standards now in use to determine which may need to be modified to include standards for AA and EEO aspects of job performance.

NOTE 1: Standards written to measure the AA and EEO aspects of job performance should be related to one or more of the seven rating factors on the performance appraisal form for the supervisory and management group.

NOTE 2: The example task and performance standards presented in this bulletin are illustrative, and are intended to serve as a model for developing similar standards which are specific to the needs of each agency and department.

JADINE R. O'BRIEN  
COMMISSIONER

MAY BE REPRODUCED LOCALLY TO MEET DISTRIBUTION NEEDS

AFFIRMATIVE ACTION RECRUITMENT SOURCES

WOMEN

Maine Commission for Women  
State Street Station 93  
Augusta, Maine 04333

Maine National Organization for Women  
P.O. Box 4012, Station A,  
Portland, Maine 04101

The Women's Center, University of Maine  
The Maples  
Orono, Maine 04473

The Women's Center, Westbrook College  
716 Stevens Avenue  
Portland, Maine 04103

The Women's Group, Colby College  
Box 1257  
Waterville, Maine 04901

The Women's Forum, University of Southern Maine  
92 Bedford Street  
Portland, Maine 04102

Bowdoin College Women's Association and  
Women's Resource Center  
c/o Bowdoin College  
Brunswick, Maine 04011

Women's Awareness  
c/o Bates College  
Lewiston, Maine 04240

Maine Civil Liberties Union  
97 Exchange Street  
Portland, Maine 04101

Maine Teacher's Association  
Women's Caucus  
35 Community Drive  
Augusta, Maine 04330

Commission for Women  
State House #93  
Augusta, Maine 04333

Welfare Employment Education and  
Training Program  
Capitol Shopping Center  
P.O. Box 749  
Augusta, Maine 04330

Welfare Employment Education and  
Training Program  
45 Oak Street, P.O. Box 811  
Bangor, Maine 04401

Welfare Employment Education and  
Training program  
305 Park Street, P.O. Box 128  
Lewiston, Maine 04240

Welfare Employment Education and  
Training Program  
107 Elm Street, P.O. Box 8480  
Portland, Maine 04111

Welfare Employment Education and  
Training Program  
Presque Isle  
60 Main Street, P.O. Box 1088  
Presque Isle, Maine 04769

A Displaced Homemakers Project  
Stoddard House  
University of Maine at Augusta  
Augusta, Maine 04330

NOW

York County Now  
P.O. Box 1123  
Kennebunk, Maine 04043

Brunswick Area NOW  
P.O. Box 133  
Brunswick, Maine 04011

Greater Bangor, NOW  
Box 8026  
Bangor, Maine 04401

Greater Farmington, NOW  
Box 375  
Farmington, Maine 04938

Kennebec Valley NOW  
Box 615  
Augusta, Maine 04330

Mt. Desert NOW  
Box 475  
Bar Harbor, Maine 04609



## MINORITIES

### Aroostook Micmac Council (Micmac)

8 Church Street  
Presque Isle, Maine 04769

### Central Maine Indian Association

352 Harlow Street  
Bangor, Maine 04401

### Houlton Band of Maliseets (Maliseet)

P.O. Box 576  
Houlton, Maine 04730

### Indian Township Reservation (Passamaquoddy)

Tribal Government  
P.O. Box 302  
Princeton, Maine 04668

### LeCentre Franco-American/Franco-American

126 Avenue du College/College Avenue  
Orono, Maine 04469

### National Association for the Advancement of Colored People

37 Clifford Street  
Portland, Maine 04101

### Penobscot Indian Nation (Penobscot)

P.O. Box 405  
Old Town, Maine 04468

### Pleasant Point Reservation (Passamaquoddy)

Tribal Government  
P.O. Box 293 or 343  
Perry, Maine 04667

### Refugee Resettlement Program

Diocesan Human Relations Services  
107 Elm Street  
Portland, Maine 04101

## ELDERS

### Aroostook County

Aroostook Area Agency on Aging  
491 Main Street  
P.O. Box 1288  
Presque Isle, Maine 04769

Androscoggin, Franklin and Oxford Counties  
Western Area Agency on Aging  
P.O. Box 659  
Lewiston, Maine 04240

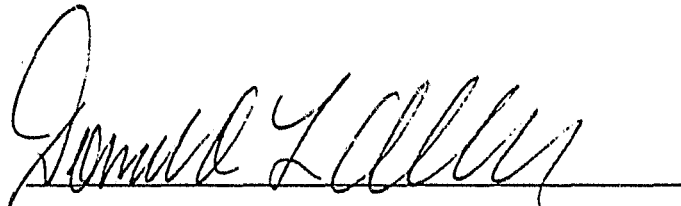
Cumberland and York Counties  
Southern Maine Area Agency on Aging  
237 Oxford Street  
Portland, Maine 04104

Knox, Lincoln, Waldo, Sagadahoc, Kennebec, and Somerset Counties  
Central Maine Area Agency on Aging  
P.O. Box 510  
Augusta, Maine 04330

PRE-EMPLOYMENT EXAM ACCOMMODATION POLICY

THE DEPARTMENT OF CORRECTIONS WILL MAKE REASONABLE EXAMINATION ACCOMMODATIONS, WHEN THEY ARE NECESSITATED BY A QUALIFIED APPLICANT'S HANDICAP OR FOREIGN LANGUAGE. AN APPLICANT SEEKING AN EXAMINATION ACCOMMODATION MUST NOTIFY THE RESPECTIVE DEPARTMENT AGENCY IN ADVANCE OF THE EXAMINATION AS TO THE TYPE AND EXTENT OF THE HANDICAP OR LANGUAGE PROBLEM. THE STATEMENT REQUESTING EXAMINATION ACCOMMODATIONS SHOULD BE ATTACHED TO THE APPLICATION.

THE DEPARTMENT RESERVES THE RIGHT TO VERIFY ALL STATEMENTS OF DISABILITY AND THE NECESSITY FOR ACCOMMODATION. ALL REQUESTS WILL BE CONSIDERED CONFIDENTIAL. ACCOMMODATIONS ARE AVAILABLE FOR THE SINGLE PURPOSE OF ALLOWING ALL QUALIFIED APPLICANTS TO COMPETE IN THE EXAMINATION PROCESS.

A handwritten signature in dark ink, appearing to read "Donald L. Allen", is written over a horizontal line.

DONALD L. ALLEN  
COMMISSIONER

DEPARTMENT OF CORRECTIONS

September, 1987

VOLUNTARY HANDICAPPED IDENTIFICATION

Upon hire, each new employee within the Department of Corrections is invited to identify himself as a handicapped individual, if appropriate, by providing the following information:

NAME \_\_\_\_\_ DATE \_\_\_\_\_  
CLASSIFICATION \_\_\_\_\_ DIVISION \_\_\_\_\_  
LOCATION \_\_\_\_\_ SUPERVISOR \_\_\_\_\_  
HANDICAP \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If one has a disability, whether job accommodations might be necessary.

\_\_\_\_\_  
\_\_\_\_\_  
Yes

\_\_\_\_\_  
\_\_\_\_\_  
No

If one has a disability, whether Departmental medical personnel should be informed.

\_\_\_\_\_  
\_\_\_\_\_  
Yes

\_\_\_\_\_  
\_\_\_\_\_  
No

APPENDIX

The Department of Corrections Agreement to Purchase Community Correctional Services\* includes the following section:

EQUAL EMPLOYMENT OPPORTUNITY

During the performance of this agreement, the Provider agrees as follows:

- a. The Provider will not discriminate against any employee or applicant for employment relating to this agreement because of race, color, religious creed, sex, national origin, ancestry, age or physical handicap, unless related to a bonafide occupational qualification. The Provider will take affirmative action to ensure that applicants are employed and employees are treated during employment, without regard to their race, color, religion, sex, age or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotions, or transfers; recruitment or recruitment advertising; layoffs or terminations; rates of pay or other forms of compensation; and selection for training including apprenticeship. The Provider agrees to post in conspicuous places available to employees and applicants for employment notices setting forth the provisions of this nondiscrimination clause.
- b. The Provider will, in all solicitations or advertising for employees placed by or on behalf of the Provider relating to this agreement, state that all qualified applicants will receive consideration for employment without regard to race, color, religious creed, sex, national origin, ancestry, age, or physical handicap.
- c. The Provider will send to each labor union or representative of the workers with which he has a collective or bargaining agreement, or other contract or understanding, whereby he is furnished with labor for the performance of this contract, a notice to be provided by the contracting agency, advising the said labor union or workers' representative of the Provider's commitment under this section and shall post copies of the notice in conspicuous places available to employees and to applicants for employment.
- d. The Provider will cause the foregoing provisions to be inserted in any subcontracts for any work covered by this agreement so that such provisions shall be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials. The Provider, or any sub-contractor holding a contract directly under the Provider shall, to the maximum feasible, list all suitable employment openings with the Maine Employment Security Commission. This provision shall not apply to employment openings which the Provider, or any sub-contractor holding a contract under the Provider, proposes to fill from within its own organization. Listing of such openings with the Employment Service Division of the Maine Employment Security Commission shall involve only the normal obligations which attach to such listings.

\*Other Department of Corrections, Contracts for Special Services include a comparable EEO statement.

STATE OF MAINE  
DEPARTMENT OF PERSONNEL

November 24, 1980

PERSONNEL BULLETIN 13.4

TO: All Department Heads, Personnel Officers, and  
Affirmative Action Officers

SUBJECT: Policy Prohibiting Employee Harassment

The State of Maine recognizes the dignity of the individual employee and the essential right of each employee to work in an environment which is free of intimidation, hostility, and offensiveness. As part of the state's effort to provide such an environment, employees are prohibited from engaging in harassment of subordinates and/or co-workers where the harassment is based upon race, color, sex, national origin, age, religion, or handicap. Such incidents of harassment are not only violative of this policy, but are also illegal forms of discrimination in conditions of employment.

Examples of harassment related to race, color, sex, national origin, age, religion, or handicap include the following, which may be a series of incidents or a single occurrence.

- (1) Unwelcome sexual advances, gestures, comments, or contact;
- (2) Threats;
- (3) Offensive jokes;
- (4) Subjecting employees to ridicule, slurs, or derogatory actions;
- (5) Basing employment decisions or practices on submission to harassment;
- (6) Refusal to cooperate with employees in performing work assignments;
- (7) Inequitable disciplinary actions and work assignments.

Harassment, such as the examples above, cannot be tolerated in the work place. Managers and supervisors must take prompt action to eliminate harassment, because it undermines morale and interferes with performance, as well as demeans its victims. Lack of corrective action by managers and supervisors may be perceived by the victims as condoning harassment. Corrective action is required regardless of whether or not the victim makes a formal complaint. Appropriate disciplinary procedures should be utilized in resolving incidents of harassment.

Employees who believe that they are victims of harassment should promptly report such occurrences, so that they may be dealt with immediately. Employees may utilize the State's discrimination complaint procedure (Personnel Bulletin 13.3), agency discrimination complaint procedures, or relevant collective bargaining grievance procedures. Under discrimination complaint procedures, if the supervisor is considered to be the person participating in or condoning the objectionable conduct, it is acceptable for the employee to approach that person's supervisor. Affirmative Action Officers may be contacted at any time for assistance. Complaints should be processed confidentially and require a thorough investigation of all the facts and circumstances. Complaints should be decided on a case-by-case basis.

COPIES OF THIS BULLETIN SHALL BE POSTED CONSPICUOUSLY IN ALL FACILITIES.

JADINE R. O'BRIEN  
COMMISSIONER

MAY BE REPRODUCED LOCALLY TO MEET DISTRIBUTION NEEDS