

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

FINAL DRAFT STRATEGIC PLAN

JUNE 24, 2016



INTRODUCTION

The Department of Fair Employment and Housing (DFEH) is the institutional centerpiece of California's broad anti-discrimination and hate crimes policy. Born out of a decades-long struggle to prohibit discrimination in employment, housing, and business establishments, the DFEH has been at the forefront of protecting civil rights in California since its inception. Today, the Department of Fair Employment and Housing is the largest state civil rights agency in the country with 189 full-time permanent staff operating out of five offices throughout California. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations (businesses) and from hate violence. To accomplish this mission, the Department receives, investigates, conciliates, mediates, and prosecutes complaints of alleged violations of the Fair Employment and Housing Act (FEHA), Unruh Civil Rights Act, Disabled Persons Act, and Ralph Civil Rights Act. The DFEH receives approximately 23,000 complaints annually from members of the public who allege that they have been the victim of discrimination or hate violence.

In addition to investigating, prosecuting and mediating complaints, the DFEH engages in public outreach and provides training and technical assistance to employers, business establishments, and housing providers regarding their responsibilities under the law. The employment anti-discrimination provisions of the FEHA apply to public and private employers, labor organizations and employment agencies. "Housing providers" includes public and private owners, real estate agents and brokers, banks, mortgage companies, and financial institutions.

The Department also partners with law schools and universities in California to provide students hands-on experience in investigating, mediating and prosecuting FEHA cases. Since 2013, the Department has housed the Fair Employment and Housing Council (FEH Council), a body that issues regulations to ensure that the FEHA is interpreted and implemented in a way that is fair and that protects the public to the full extent of the law.

This Strategic Plan sets forth the goals and strategies that will guide the Department in working toward its vision over the next three to five years. It was developed with input from DFEH staff throughout our five offices and from FEH Council members using an online tool that provided them with the opportunity to anonymously submit and comment on ideas important to them. This input was used by the DFEH Executive Team to develop a draft plan that was then sent out to staff for further review and comment. The result is this final draft of the Plan.

Each year, the Department will develop a set of specific actions it will undertake in support of the goals and strategies in the Plan. This draft of the Strategic Plan includes a listing of the specific

actions that will be undertaken in 2016-17 under each strategy. These actions will be included a 2016-17 Business Plan, which will also assign responsibility and designate a timeframe for each of the actions. Each spring, the Department will go through this process of determining what actions we will undertake in the following fiscal year to help us achieve the goals in the Strategic Plan. This process will also provide an opportunity to revisit the goals and strategies in the Plan in light of changing circumstances and new opportunities so that the Strategic Plan remains a strong and relevant roadmap toward our Vision.

OUR VISION: A CALIFORNIA FREE OF DISCRIMINATION

The charge that was given to the Department when it was established in statute is a lofty one: “to eliminate discrimination in California.” It is this lofty ideal that inspires and permeates everything we do. At its core, this means that we work both to prevent discrimination from occurring and remedy it when it does occur. As an organization, we foster respect for the diversity of our staff and the public whom we serve. Because discrimination can cross every economic, social and cultural and geographic barrier, it also means developing a scope to our efforts that serves the diverse needs of the public, businesses, housing providers and other governmental entities across the State.

Our efforts to prevent discrimination have multiple components. Our vision encompasses providing education and assistance to the businesses, housing providers, and governmental entities operating in California so that they understand their responsibilities and have templates and tools to support them in meeting legal obligations. To target differing needs, we must also work with these entities and their representatives to provide them with education and assistance that will be most helpful to them.

It is also critical that members of the public understand their rights and know where to turn when they experience discrimination or hate violence. Given the diversity of the State, this will require that we expand our suite of education and outreach materials and efforts to meet a broader array of needs and to reach more audiences, especially in those areas where we have found a lack of knowledge and with populations who are most vulnerable.

When we receive an allegation of discrimination, it is critical that our processes and systems are easy to understand and navigate and that we are timely, accurate and thorough in addressing the complaint. This will mean evaluating and making changes to our processes and systems with input from our various stakeholders, to make them as user-friendly as possible and to ensure that they do a good job of supporting the work that we do. To eliminate and remedy discrimination, there must be vigorous investigation and zealous legal advocacy on behalf of the public interest. No matter how contentious a dispute is, the hallmark of the DFEH’s approach is respect for the involved parties, with the ultimate goal of improving business practices and spreading awareness to prevent future violations of the law.

In all of our efforts, we recognize the need to be collaborative and strategic in order to be as effective as possible within resource constraints. This means integrating our programs across all

parts of our organization. Given the array of organizations that share aspects of our mission and goals, an important part of our vision is also to build upon and expand partnerships with business and professional organizations, community groups, and governmental entities at the federal, state, and local levels. Being strategic will require that we work with our partners and analyze information to identify those areas where our efforts will have the greatest impact.

Being efficient and effective also requires that we evaluate our internal operations and look for every opportunity to improve them. From our policies and procedures to our IT systems; from our forms and templates to our emergency plans, our vision is to employ best practices throughout our organization and to put measures in place to assess how well we are doing at meeting performance targets in all parts of the Department.

Of course, the quality of everything we do as an organization—the investigations we do, the cases we file in court, the mediations we conduct, the outreach we perform, and all of our other functions—are dependent on the people who work here. Not only do they need the right training, tools and resources to do their jobs well, but an environment that gives every employee the opportunity to reach their full potential. Thus, an important part of our vision encompasses creating that kind of environment for the people who work at DFEH—people who are dedicating their lives to eliminating discrimination in California.

OUR VALUES

A set of values is currently under development for DFEH and will be added here when completed

GOAL 1:

INCREASE ACCESS TO INFORMATION ABOUT RIGHTS AND RESPONSIBILITIES

STRATEGY #1:

IMPROVE THE RESOURCES WE MAKE AVAILABLE

2016-17 Actions:

- Conduct an assessment of all of our website pages/content, determine where improvement is needed, develop priorities and timelines for making changes
- Complete a project to review and redesign all of our outreach materials to make them as accurate and user friendly as possible
- Develop a new set of FAQs based on the inquiries we receive most frequently and post them on our website
- Launch a media and social media strategy that capitalizes on opportunities to provide content and public service announcements to television and radio outlets and makes effective use of Facebook, Twitter and other social media platforms

STRATEGY #2:

BETTER TARGET EDUCATION AND OUTREACH EFFORTS

2016-17 Actions:

- Create a tool to track our outreach activities Department-wide to see which communities we are reaching with what information, and where we need to focus more efforts
- Create a tool to track the kinds of inquiries we receive through our call center so we can better explain our function and provide referral information for the most common inquiries out of our jurisdiction
- Analyze the kinds of discrimination that are occurring and the need for additional information among various populations and industries
- Use the information gathered above and analysis to develop a multi-year Strategic Outreach Plan
- Enclose educational materials with the letters and notices we send to complainants and respondents
- Organize a Fair Housing Month event
- Develop educational materials (fact sheets, newspaper articles, FAQs, etc.) for business owners on current “hot” topics

STRATEGY #3:

IMPROVE OUTREACH TO PEOPLE WITH LIMITED ENGLISH PROFICIENCY

2016-17 Actions:

- Use HUD Education and Outreach funds to develop culturally sensitive outreach materials and translate additional outreach materials into multiple languages
- Evaluate the entire suite of DFEH outreach materials to determine which materials should be translated into which languages and make it happen

STRATEGY #4:

IMPROVE OUTREACH AND ACCESS FOR PEOPLE WITH DISABILITIES

2016-17 Actions:

- Conduct an assessment of what needs to be done to ensure our website is fully accessible for people with disabilities and implement needed changes
- Analyze the need for additional outreach activities and materials targeted at people with disabilities and develop a plan to address those needs
- Make changes to our facilities to the extent we can, to improve access and compliance with the Americans with Disabilities Act (ADA)

STRATEGY #5:

ENSURE THE “BIGGEST BANG FOR THE BUCK”

2016-17 Actions:

- Develop a library of materials to be used for speaking engagements and training, so that we don't have to reinvent the wheel each time
- Develop a speakers bureau for the department and provide a list of staff with specific expertise and interest in making presentation
- Conduct research on the most effective means of outreach in various communities based on the experiences of other groups/organizations and any studies
- Partner with federal and other state government departments and others to leverage our outreach efforts:
 - Continue joint outreach efforts with EEOC and HUD
 - CalVet and EDD on military and veterans status
 - EDD for new businesses and people registering for unemployment benefits
 - Other state enforcement entities
 - Community organizations and schools

GOAL 2:

PREVENT AND COMBAT DISCRIMINATION AND HATE VIOLENCE
THROUGH PROACTIVE AND STRATEGIC EFFORTS

STRATEGY #1:

PURSUE CASES AND STRATEGIES THAT WILL HAVE THE GREATEST IMPACT

2016-17 Actions:

- Put a mechanism in place to proactively pursue cases for investigation and litigation based on statistical and other information suggesting a high likelihood that discrimination is taking place, including discrimination based on the disparate impact theory
- Identify patterns of discrimination within various industries, jobs, regions, etc. and undertake at least one targeted enforcement effort to address an area(s) of concern
- Engage the federal Department of Justice to train our staff; publicize our community conciliation function and affirmatively reach out to communities/groups/individuals that might benefit from this service

STRATEGY #2:

HELP TO FOSTER BEST PRACTICES WITHIN CALIFORNIA STATE GOVERNMENT

2016-17 Actions:

- Work with CalHR and the Department of General Services to determine how to incorporate best practices related to civil rights into relevant statewide forms and processes
- Reach out to the directors of all state departments to build greater understanding of our role and authority related to preventing and combating discrimination within state government
- Develop an annual training plan with offerings that address the most critical needs of other state departments
- Identify forums that bring state entities together to discuss civil rights issues and determine the level of DFEH involvement that would best address knowledge gaps and needs for guidance
- Explore opportunities to work with SPB, CalHR and DGS to incorporate more information into statewide guidance documents (e.g. Personnel Management Letters, State Administrative Manual)

STRATEGY #3:

MODEL THE WAY FOR BEST PRACTICES IN CIVIL RIGHTS

2016-17 Actions:

- Bring our website into compliance with ADA standards
- Re-establish a Disability Advisory Committee and take steps to improve disability access in our offices
- Evaluate internal programs in the areas of reasonable accommodation and contracting against best practices, make any needed changes and provide model policies, processes and templates on our website and in our training

STRATEGY #4:

INTEGRATE EFFORTS ACROSS ALL PARTS OF THE DEPARTMENT THROUGH IMPROVED INFORMATION SHARING AND COLLABORATION

2016-17 Actions:

- Implement a process for documenting and sharing legal interpretations and developments
- Organize cross-divisional meetings focused on topics of mutual interest
- Update the Legal Discovery Handbook as a tool for investigators to use in consultation with Legal Division

LEVERAGE OUR EFFORTS THROUGH PARTNERSHIPS

2016-17 Actions:

- Reach out to local entities such as Human Rights Commissions and housing agencies to explore opportunities for collaboration and information sharing
- Reach out to civil rights enforcement entities in other states to determine the value of creating an ongoing forum to share information and potentially engage in joint efforts
- Continue our partnership with EEOC and HUD and explore the potential impact of working with a broader array of federal entities and tribal governments, including the Department of Education and the Department of Health and Human Services, Bureau of Indian Affairs, and IHS

GOAL 3:

PROVIDE EXCELLENT SERVICE TO THE INDIVIDUALS
AND ENTITIES WHO INTERACT WITH US

STRATEGY #1:

ENSURE OUR SERVICES ARE USER-FRIENDLY AND CONSISTENT ACROSS ALL
PLATFORMS

2016-17 Actions:

- Complete changes to our pre-complaint inquiry forms and screening questions to make them consistent and more helpful
- Solicit input from stakeholders on how to best construct the external interfaces of our new Case Filing and Management System
- Complete a project to assess our obligations under the law and our regulations, and make sure our forms, literature, website and internal practices are consistent with that assessment
- Provide additional customer service training to staff who interact with the public, including how to address the unique needs of various populations we serve such as persons with disabilities and people with limited English proficiency

STRATEGY #2:

DECREASE COMPLEXITY AND IMPROVE TIMELINESS OF SERVICES BY
STREAMLINING PROCESSES

2016-17 Actions:

- Evaluate the success of a project piloting changes in our intake processes, including impact on decreasing the amount of time it takes an investigator to contact a complainant and complete the complaint filing process; determine whether to roll it out statewide
- Review and revise our procedural regulations
- Explore processes and systems used by federal partners and others to assess their viability and potential to simplify the experiences of those who interact with multiple entities

STRATEGY #3:

IMPROVE THE SERVICES WE PROVIDE TO PERSONS WITH DISABILITIES

2016-17 Actions:

- Review our website to ensure compliance with ADA standards
- Engage disability rights organizations in establishing the requirements for our new Case Management and Filing system
- Conduct an assessment of our call center operations to ensure they meet the needs of persons with disabilities, including the structure of our Interactive Voice Response System and technologies used to assist callers who are hard of hearing

STRATEGY #4:

IMPROVE OUR ABILITY TO SERVE PEOPLE WITH LIMITED ENGLISH PROFICIENCY

2016-17 Actions:

- Incorporate translation tools into the redesign of our website
- Assess all of our forms and letter templates to determine the need to make more of them available in multiple languages and make needed changes
- Assess whether DFEH is meeting all of the requirements of the Dymally-Alatorre Language Services Act and develop a plan to address any deficiencies
- Evaluate the processes we use to identify the need for and procure translation services from the time someone initially contacts us through the ultimate outcome of their case and make any changes needed to ensure easy and timely access to services

GOAL 4:

ENSURE THAT OUR INTERNAL PROCESSES AND SYSTEMS EFFECTIVELY AND EFFICIENTLY MEET OUR BUSINESS NEEDS

STRATEGY #1:

IMPROVE HOW WE GATHER AND MANAGE INFORMATION

2016-17 Actions:

- Implement new Case Filing and Management Systems
- Create department-wide naming conventions
- Complete data retention/information management plan

STRATEGY #2:

ENSURE THAT ALL OF OUR POLICIES AND PROCEDURES ARE UP-TO-DATE AND WELL-DOCUMENTED

2016-17 Actions:

- Complete a project to update all of the directives in Enforcement Division
- Provide better documentation and tools for onboarding new employees and separating employees from the department
- Create/update additional administrative policies, including upward mobility, training/staff development, attendance and work schedule and workplace violence and bullying prevention
- Solicit input from staff on the need to update or better document additional policies and procedures
- Document all IT processes and procedures

STRATEGY #3:

BE PREPARED TO RESPOND TO EVENTS OUTSIDE THE STATUS QUO

2016-17 Actions:

- Complete the department's Business Continuity/Disaster Recovery Plan
- Conduct emergency drills and provide training to DFEH employees statewide
- Update procedures to be used by employees when they are threatened or when someone threatens to harm themselves or a third party; also for suspicious or threatening packages

STRATEGY #4:

DEVELOP STANDARDS AND TOOLS FOR MEASURING OUR PERFORMANCE

2016-17 Actions:

- Develop departmental performance measures
- Develop internal service level agreements that define expectations for services provided to the rest of the Department by the Administration and Information Technology Divisions

GOAL 5:

GIVE OUR EMPLOYEES THE INFORMATION, TOOLS
AND SUPPORT THEY NEED TO THRIVE

STRATEGY # 1:

IMPROVE OUR ABILITY TO COMMUNICATE CLEAR EXPECTATIONS, PROVIDE
ACTIONABLE FEEDBACK AND RECOGNIZE EXCELLENCE

2016-17 Actions:

- Complete project to develop quantitative and qualitative performance standards for investigators
- Develop and implement an employee recognition program for the department
- Get completely up-to-date on providing Individual Development Plans to all staff
- Provide additional training to managers and supervisors on communication and coaching

STRATEGY # 2:

BE MORE SYSTEMATIC IN IDENTIFYING AND MEETING TRAINING NEEDS

2016-17 Actions:

- Update the department's training policy
- Put mechanisms in place to assess training needs for each staff person and track progress in meeting those needs
- Establish a training unit for the Enforcement Division and develop the first in a series of annual training plans for the division

STRATEGY # 3:

UPDATE AND IMPROVE THE TOOLS AND RESOURCES PROVIDED TO STAFF

2016-17 Actions:

- Continue to build the Legal Division's brief bank to provide an easily navigable library for attorneys and others to access briefs, pleadings and research memoranda
- Update the investigations manual, supervisor's manual and clerical manual in Enforcement Division
- Complete a project to update all of the forms and templates used within the Enforcement Division

STRATEGY # 4:

IMPROVE COMMUNICATION AT ALL LEVELS

2016-17 Actions:

- Complete the reorganization and build-out of *DFEH Connect* including better organization of policies and procedures and additional of divisional content
- Put protocols in place for how information is shared within each division including frequency of staff meetings

- Develop an agenda template that includes a discussion of communication needs at the conclusion of every meeting and ask everyone to use it

STRATEGY #5:

PROVIDE STAFF WITH MORE PROFESSIONAL DEVELOPMENT RESOURCES

2016-17 Actions:

- Develop and implement a mentoring program
- Put an Upward Mobility Program in place
- Create a library of professional development tools on DFEH Connect