

STATE OF MARYLAND
DEPARTMENT OF BUDGET AND MANAGEMENT
OFFICE OF PERSONNEL SERVICES AND BENEFITS
301 West Preston Street
Baltimore, Maryland 21201

POSITION DESCRIPTION

REVIEW INSTRUCTIONS PRIOR TO COMPLETION

PART I. IDENTIFYING POSITION INFORMATION

ITEMS 1-6 to be completed by Agency Personnel Office.

1. PIN 032554	2. CLASS CODE/GRADE 5474/21
3. SERVICE Management	4. IS THIS POSITION DESIGNATED AS A SPECIAL APPOINTMENT? No
5. OVERTIME STATUS Exempt	6. AGENCY APPROPRIATION CODE 34.01.01.001

ITEMS 7-13 to be completed by the supervisor.

7. Current Employee's Name, if applicable Yvette Dickens

8. Class Title Administrative Program Manager IV
Working Title, if different Director

9. Department or Agency Name Department of Labor
Division, Unit or Section Office of Fair Practices

10. Work Location/Address 1100 North Eutaw Street, Baltimore, MD 21201

11. Name of Immediate Supervisor Vacant
Title of Immediate Supervisor Deputy Secretary

12. Work Schedule: (Check all that apply)

<input checked="" type="checkbox"/> Permanent Day Shift	<input type="checkbox"/> Rotating Shift
<input type="checkbox"/> Permanent Evening Shift	<input checked="" type="checkbox"/> Full Time
<input type="checkbox"/> Permanent Night Shift	<input type="checkbox"/> Part Time
<input type="checkbox"/> Other (Explain) _____	

13. If applicable, how long has the current employee been performing the duties listed below?

PART II. POSITION FUNCTIONS

ITEMS 1-7 If additional space is required, attach a separate sheet.

1. **MAIN PURPOSE OF THE JOB:** Briefly describe the main purpose of this position and how it related to the mission of the agency.

The main purpose of this position is to direct, plan and manage Equal Opportunity Programs for the Maryland Department of Labor (MD Labor), specifically the Equal Opportunity/Affirmative Action, 504/ Americans with Disabilities Act (ADA), Equity, Compliance, Volunteerism, and Methods of Administration programs. The scope of the programs apply to all Department of Labor's components and operating agencies - e.g. general administration; Employment Service, Unemployment Insurance, Division of Workforce Development and Adult Learning/Workforce Innovation Opportunity Act programs; Labor and Industry programs; Occupational and Professional Licensing (Boards and Commissions - over one hundred-twenty (120) members appointed by the Governor); Financial Regulation and the Racing Commission.

This is a highly responsible administrative and policymaking position, and the incumbent is a member of the MD Labor Senior Staff.

The departmental functions listed above are directed and/or coordinated by this position requiring a thorough knowledge of all departmental programs, merit system principles and the State legislative agenda and an expert knowledge of relevant Human Resources/Equal Opportunity/Affirmative Action/Nondiscrimination/ ADA/Compliance and Volunteerism. The incumbent is the Department's Fair Practices Officer and is responsible for enforcing provisions of the Governor's Code of Fair Practices.

Additionally, the incumbent is the 504/ ADA Coordinator and is responsible for the development and the implementation of the Nondiscrimination Plan required by Workforce Innovation Opportunity Act regulations contained at 29 CFR 38.

This position routinely represents the Secretary and is assigned special projects, such as, serving on the Governor's Committee on Employment of Individuals with Disabilities, the Legislative Black Caucus Roundtable on Volunteerism and the Governor's Drug and Alcohol Abuse Commission.

General areas for which the position is responsible include, but are not limited to, the statewide planning, implementing, developing, coordinating and directing of: equal employment opportunity, civil rights, community relations, non-discrimination, affirmative action, activities involving persons with disabilities (504/ ADA), volunteerism and Management Development.

The position ensures that MD Labor programs and activities are in compliance with applicable State, federal and equal opportunity statutes. Success in carrying out these duties requires an expert knowledge of principles of management and organization; federal and State Equal Opportunity/Program Equity laws and regulations (including but not limited to: Titles VI and VII of the Civil Rights Act of 1964, as amended, the Workforce Innovation Opportunity Act (WIOA), the Rehabilitation Act of 1973 Section 504, the Americans with Disabilities Act (ADA), the Governor's Code of Fair Employment Practices, Title 5 of the Personnel and Pensions Article, Article 20 of the Annotated Code of Maryland.

2. **ESSENTIAL JOB FUNCTIONS AND OTHER ASSIGNED DUTIES** - List duty and

responsibility statements that identify the essential job functions and other assigned duties. Essential job functions are the fundamental job duties of a position that if not performed will alter the job. (Identify **essential job functions** by highlighting, **underlining**, etc.)

% of Time and/or Weight of Importance	Job Duty
	<p>A. Directs the planning and preparation of the office's budget including the determination of staff needs and expenditures in addition to determining ADA accessibility needs for MD Labor administrations and corresponding budgetary requirements. In addition, funding for other MD Labor programs are determined relative to Volunteerism and Management Development</p> <p>B. Designs, directs, manages, controls and evaluates the Department's programs and provides administrative leadership, executive oversight and policy guidance to the Executive staff of the Department in specific areas, including but not limited to hiring, reclassifying, promoting, training and disciplining MD Labor employees. Among other things, this is accomplished by developing policies and procedures for the review of personnel actions and providing for the preparation of and submittal to the Office of Fair Practices personnel forms and statistics from MD Labor's Office of Human Resources and other departmental administrators working within the State Personnel Management System to ensure that discrimination free procedures are used for hiring, reclassifying, promoting, training and disciplining MD Labor employees. Among other things, this is accomplished by developing policies and procedures for the review of personnel actions and providing for the preparation of and submittal to the Office Fair Practices personnel forms and statistics from MD Labor's Office of Personnel and other departmental administrators.</p> <p>Assessing staff utilization for desired staffing levels and statistical disparities and determining, developing and implementing specific equal opportunity/affirmative action plans or corrective measures. Among other things, this is accomplished through the development of guidelines, desk and on-site monitoring and providing for the preparation of and submittal of related reports to the Office of Fair Practices from MD Labor's Office of Human Resources and departmental administrators.</p> <p>Designing programs and program materials to ensure the full participation of and benefit to businesses and citizens - specifically minorities, females and individuals with disabilities this is accomplished through the review of promotional materials, input into new program content and focus, etc.</p> <p>C. Directs the planning, preparation and implementation of: the Department's Affirmative Action and Equal Opportunity reports to the Governor, Management Development progress reports, Volunteerism analysis reports and other required State and federal reports.</p> <p>D. Interprets for and advises the Secretary, Deputy Secretary, Assistant Secretaries and Commissioners on civil rights legislation that impact on departmental procedures, practices and policies. Directs the development of policy and procedures to assure the Department's compliance utilization.</p> <p>E. Directs and manages the Equal Opportunity Compliance Program to ensure compliance with relevant regulations and laws. This involves the development of</p>

programs and policies that are communicated by way of correspondence and training to appropriate administrators and managers.

F. Determines the types, forms and methods of EO training that will be provided to MD Labor employees.

G. Directs the planning and implementation of reviews, monitors and reporting mechanisms in the analysis and evaluation for MD Labor's services, policies and programs for compliance with applicable laws.

H. Determines sanctions that will be necessary in instances of non-compliance. These sanctions may be applied on a program or individual basis.

I. Implements the current JTP A Methods of Administration (MOA) per 29 CFR 34 for the Division of Employment and Training programs; and develops the new WIA MOA per 29 CFR 37.

Separate MOAs have been developed for the statewide programs for: the Office of Unemployment Insurance, the Office of Employment Services and the Office of Employment Training. The MOAs are the plans for compliance with the US Department of Labor's equal opportunity and nondiscrimination requirements. Directs the process by which compliance is evaluated and assured for the various boards and commissions with applicable nondiscrimination and related regulations. This process will provide for the integration of EO requirements in determining and establishing legislative and regulatory policy.

J. Prepares responses for the various licensing and regulatory boards and commissions in addressing various concerns of the commissions relative to EO compliance policy and regulations.

K. Directs and coordinates statewide volunteer activities for MD Labor (e.g. Maryland Charities Campaign, March of Dimes, Black Male Mentoring Project, Sickle Cell Anemia Walkathon, etc.). Works with other State departments to achieve desired goal.

L. Directs the activities of the Department's Equal Opportunity Advisory Committee, including developing and implementing selection criteria, rules, regulations and determining project direction and related activities (e.g. bi-annual departmental EO newsletter). The Committee is comprised of twenty-five (25) employees representing all segments of and various job categories within MD Labor.

M. Directs the Community Outreach Program in communicating providing for informational contacts with advocacy and community groups and organizations; communicates with employers/businesses to: transmit the Department's minority business enterprise, equal opportunity and affirmative action and other policies, to determine employment needs, to advise employers and our other customers of services offered by MD Labor and provide guidance in employer compliance with Equal Opportunity/Compliance statutes.

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3. **LEVEL, FREQUENCY AND PURPOSE OF WORK CONTACTS:** List the contacts that this position has with individuals within the division, agency and department as well as other State agencies, other government agencies, private companies, clients, customers, vendors and the general public. These contacts may be in person, in writing or by telephone. Indicate how often the contact occurs. State the purpose of each contact, for example, to provide information, to explain procedures or decisions, to persuade or negotiate.

Contacts with the Secretary, Deputy Secretary, Assistant Secretaries, Commissioners, Attorney General, and Departmental Directors are on a regular basis to carry out departmental mandates and to plan and coordinate the various programs for the Department and provide guidance to these individuals on administrative problems. Contacts with members of the State and federal officials and legislators, officials from the Department of Labor, federal Office of Personnel Management, Equal Employment Opportunity Commission and State Department of Personnel are maintained on a regular basis to decide policy issues, exchange information, resolve problems and to plan program implementation. In addition, regular contacts are made with public and private employers and community advocacy groups.

4. **DECISIONS AND RECOMMENDATIONS:** List the decisions and recommendations that this position makes which are necessary to carry out essential job functions. State to whom recommendations are made.

A. Determines the need to formulate and implement new policy for compliance and equity programs for Equal Opportunity / Affirmative Action, Management Development, Volunteerism and other employee advocacy programs.

B. Determines the compliance status of the Maryland Department of Labor's programs.

C. Determines the planning needs in establishing EEO priorities for various Programs within MD Labor.

D. As Fair Practices Officer and ADA Coordinator, renders final decisions for related issues.

E. Determines equal opportunity compliance for MD Labor contractors, Boards and Commissions and Service Delivery Areas (SDAs)/Workforce Investment Areas (WIAs).

F. Determines most appropriate method to address Human Resources problems related to EEO issues faced by the various divisions and programs within MD Labor.

G. Determines extent and elements of conciliation agreements between Department of Labor's Civil Rights Center and MD Labor.

5. **EQUIPMENT USED** - List equipment, machinery and tools used to complete this job, e.g. personal computer, calculator, typewriter, hand tools, measuring devices and lab equipment.

Personal computer

6. NATURE OF SUPERVISION RECEIVED - Check the type of supervision that is given to this position. See instructions Part II, Item 6 for definition of terms.

- Close Supervision
- Moderate Supervision
- General Supervision
- Managerial Supervision

7. WORKING CONDITIONS: (Check all that apply)

- Work involves exposure to uncomfortable or unpleasant surroundings. (Explain)
- Work involves exposure to hazardous conditions which may result in injury. (Explain)
- Work involves special physical demands such as lifting 50 pounds or more, climbing ladders, etc. (Explain)
- Work requires use of protective equipment such as goggles, gloves, mask, etc. (Explain)

PART III RESPONSIBILITIES FOR THE WORK OF OTHERS

This section should be completed if this position is responsible for the work of others. This includes full and part-time permanent employees, contractual or emergency employees, volunteers, reimbursable or loaned employees. If additional space is required, attach a separate sheet.

NATURE AND LEVEL OF RESPONSIBILITY FOR WORK OF OTHERS:

A supervisor assigns and reviews the work of other, trains employees, recommends the selection, promotion and termination of employees, approves leave and signs time cards, signs annual performance evaluations, determines and resolves procedural problems within the unit, serves as spokesperson for subordinates, explains policies and directives from management and issues formal disciplinary reminders, warnings and reprimands.

A lead worker assigns and reviews the work of others, instructs and motivates worker, is available for immediate assistance or review and performs the work of the classification.

- a) Does this position supervise employees? Yes No
- b) Does this position lead employees? Yes No

If yes, to a or b, list the names and classifications of the employees that this position supervises or leads.

Sharon Thomas – Administrative Specialist
Vacant – Administrator I
Keith Merkey – Administrator II
Robert Goodman – Administrative Program Manager I

- c) Check the ways that this position supervises or leads these employees. (check all that apply).

- Assigns and reviews work
- Approve leave, sign time card
- Sign annual performance ratings
- Interview & select new employees
- Train employees
- Discipline employees (counsel, recommend suspension & termination)

- d) Do any of the employees supervised have supervisory responsibility? If so, list them and the names and classifications of those they supervise or attach an approved organization chart.

Robert Goodman – Administrative Program Manager I
• Vacant – Administrator I

PART IV PERFORMANCE STANDARDS

PERFORMANCE STANDARDS - For each essential job function described in Part II, list the standard(s) necessary for satisfactory performance. If additional space is required, attach a separate sheet.

Achieve objectives of the Secretary and ensure that overall accomplishments of the office reflect support for and achievement of the policies and goals of the Administration, the Secretary and the Deputy Secretary

Provide managerial expertise to the organization. Guide subordinates in the development and implementation of MD Labor priorities. Manage resources effectively. Delegate decision-making to lowest feasible level. Ensure that accountability is maintained.

Ensure that attendance records are reviewed and promptly resolve discrepancies, including taking disciplinary action if warranted. Ensure that approvals for overtime, compensatory time and advance leave are in accordance with policy(s) and delegations of authority.

Demonstrate interest in and sensitivity to equal opportunity and the value of diversity by taking individual actions which indicate a high level of commitment and understanding. Comply with the Department's policies regarding equal opportunity, program equity and nondiscrimination.

Deliver MD Labor programs and services to internal and external customers consistent with Secretarial and Administration priorities. Represent the Department and Administration with internal and external groups.

Support and pro actively advance the State's CQI, MFR and PEP initiatives. Participate directly and indirectly in the efficient effective and expeditious implementation of all policies and programs concerning CQI, MFR and PEP.

Conducts PEPs in a timely manner and follow-up with employees performance as necessary.

PART V SIGNATURES

The following signatures indicate acknowledgment by the employee of the information on this form, when applicable, and approval by the supervisor and appointing authority.

Employee's Signature

Date

Supervisor's Signature

Date

Appointing Authority or Designee

Date

FOR POSITIONS DESIGNATED AS A POLITICAL SPECIAL APPOINTMENT POSITION ONLY

This is to certify that I understand that this has been designated as a special appointment position which may be filled with regard to my political affiliation, belief or opinion. I have been informed of my limited rights of appeal for any disciplinary action including termination of employment. I further understand that, in this position, I serve at the pleasure of the appointing authority and can be terminated for any reason; including my political affiliation, belief or opinion, that is not illegal or unconstitutional.

Employee's Signature

Date

FOR OTHER SPECIAL APPOINTMENT and MANAGEMENT SERVICE POSITIONS ONLY

This is to certify that I understand that this is a special appointment or management service position and I have been informed of my limited rights of appeal for any disciplinary action including termination of employment. I further understand that, in this position, I serve at the pleasure of the appointing authority and can be terminated for any reason that is not illegal or unconstitutional.

Employee's Signature

Date