

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Department of Human Resources**



**Responses to Fiscal Year 2019-2020**  
**Performance Oversight Questions**

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**Submission to**

**Committee on Labor and Workforce Development**  
**Council of the District of Columbia**  
**The Honorable Elissa Silverman, Chairperson**

**February 21, 2020**

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

**DEPARTMENT OF HUMAN RESOURCES**  
**FY2019-2020 Performance Oversight Questions**  
**Committee on Labor and Workforce Development**  
**Councilmember Elissa Silverman (At-Large), Chair**

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## **I. Agency Priorities, Performance, and Evaluation**

1. Please discuss DCHR's top five priorities.
  - a. How did the agency address its top five priorities in FY2019?

**Answer:** Please see response below.

**Centralized Processing:** As of November 2019, DCHR implemented a centralized processing system with all but two agencies, the Fire and Emergency Medical Services (FEMS) and the Office of the State Superintendent of Education (OSSE), under the Mayor's Authority. Under centralized processing all monetary and non-monetary employee personnel actions are processed in PeopleSoft by DCHR. This effort included: hiring and training new processing staff, creating processing service level agreements based on the action, implementing a tracking system in RemedyForce, updating PeopleSoft access and roles, communicating and meeting with impacted agencies, and gathering feedback from agencies on needed tools, resources, and other recommendations.

**Streamlined Classification:** In December 2019, DCHR implemented a position description (PD) library. This library is a database of over 50 standardized PDs, as well as agency specific ones, that can be accessed and used across agencies. DCHR also concluded desk audits for the trade area of the Department of General Services (DGS) and multiple areas at the Department of Parks and Recreation (DPR).

**PeopleSoft:** In FY19, in collaboration with the Office of the Chief Technology Officer (OCTO), DCHR implemented automated enrollment in the 457(b) program/plan, a dedicated veteran's career page, and enhancements (i.e. streamlined questions, more visible save feature) to the applicant tracking system, eRecruit, that provide a more user-friendly experience.

**Trauma-Informed Care:** In FY19, DCHR laid the groundwork for a robust, multi-agency Trauma-Informed Care program. Trauma-Informed Care is an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma, such as an employee's physical or psychological response to crisis events or critical incidents. These effects of trauma can interfere with normal functioning. Trauma-Informed Care emphasizes physical, psychological and emotional safety, and helps survivors rebuild a sense of control and empowerment. DCHR has partnered with several District agencies, the District Employee Assistance Program (EAP) provider, and District health insurance providers to develop a new approach to addressing workplace trauma experienced by District employees on the job. Moving into FY20, DCHR will continue to partner with our EAP, healthcare providers, and agencies such as the Department of Behavioral Health (DBH), Department of Youth Rehabilitation Services (DYRS), Child and Family Services Agency (CFSA), Fire and Emergency Medical Services Department (FEMS), and the Metropolitan Police

Department (MPD) to leverage existing resources and implement a coordinated approach for the District.

**Electronic Onboarding:** In collaboration with OCTO, DCHR implemented electronic onboarding in October 2019. This effort included reviewing and updating 10 District onboarding documents previously completed on paper, which are now completed electronically in PeopleSoft. In addition, a new hire portal was created for new employees to complete onboarding documentation and receive a welcome message from the Mayor.

- b. What are the agency's top five priorities in FY2020? Please explain how the agency expects to address these priorities in FY2020.

**Answer:** Please see response below.

**City University:** In FY20, DCHR will develop the framework for a City University. City University will provide employees with various training opportunities on topics such as grants management, writing, contracting and procurement, budgeting, etc. The City University will maximize a return on investment through human capital architecture while developing employee skillsets and addressing skills shortages. The framework will define needed curriculum, audiences based on training needs, and identify partnerships.

**Career Pathways:** In FY20, DCHR will establish a framework and implement a process to hire District high school graduates for entry level positions in accordance with the Pathways to District Government Careers Amendment Act of 2018. In addition, DCHR will partner with relevant stakeholders to identify five apprenticeable District government occupations and develop a structure to hire District residents for these occupations.

**Technology Enhancements:** In FY20, DCHR will create a more modern employee experience by introducing automation in high volume processes, such as credentialing, automated classification, and appointment scheduling. These enhancements will streamline current processes.

**Workforce/Succession Planning:** In FY20, DCHR will pilot workforce and succession planning strategies in several District agencies to develop strategic workforce plans. In addition, DCHR will research and forecast workforce trends to ensure resilience to labor market changes.

**Time-to-Fill:** In FY20, DCHR will partner with relevant stakeholders to evaluate and implement innovative strategies to decrease time-to-fill (i.e., the time it takes to fill vacant positions). Results of this effort will lead to more timely and accurate data, which in the long-term, will hopefully reduce time-to-fill.

2. Please list each **program** or body of work operated or administered by DCHR during FY2019 and FY2020. Highlight any programs new in FY2019 or FY2020. For each program, please provide a description of the program, the office that carries out the program, activities in FY2019 and FY2020, and any documented results of the program.

**Answer: Please see attachment 2-DCHR Activities and Program.**

3. Please describe any **initiatives** that the DCHR implemented in FY2019 or FY2020, to date, to improve the internal operations of the agency or the interaction of the agency with external parties. Please describe the results, or expected results, of each initiative.

**Answer: Please see response below.**

**Time-to-Fill and ePerformance Dashboards:** DCHR collaborated with OCTO to create real-time time-to-fill and ePerformance dashboards with the business intelligence tool, MicroStrategy. The time-to-fill dashboard helps agency recruiters quickly see how long each vacancy has been opened. It also allows for exporting data into an Excel spreadsheet for easy identification of positions that may be taking longer to fill. The ePerformance dashboard provides real-time data on performance plans, evaluation completion, and produces time savings for both DCHR and other agencies since PeopleSoft reports are not needed to see completion statuses.

**Union Automation:** In partnership with OCTO, the Office of Labor Relations and Collective Bargaining (OLRCB), and the Office of Payroll and Retirement Services (OPRS), DCHR implemented automated union deductions in PeopleSoft. This new feature allows participating union employees to enroll and authorize union deductions via a self-serve portal in PeopleSoft. The electronic process ensures quicker deductions from paychecks and provides an email confirmation.

**Electronic District Personnel Manual (e-DPM):** In August 2019, DCHR rolled out a new, modern [Electronic District Personnel Manual](#) (e-DPM). The e-DPM houses personnel-related regulations and guidance documents to assist agencies and employees alike during their time with District government. The new search features make it easier than ever to find the information employees need, when they need it. More importantly, the new site tracks search terms, allowing us to understand what topics are most important to our employees, giving us the opportunity to be more strategic with future policy and training development.

**Retirement Readiness Seminars:** DCHR developed and implemented a host of resources aimed to train employees on retirement-related regulations and guidance, and provided retirement-focused seminars, including ones focused on the Social Security Administration. Throughout 2019, DCHR partnered with several District agencies to offer agency-specific retirement seminars targeting employees nearing retirement age. The DCHR Benefits and Retirement Administration also developed standardized retirement information sessions in the form of enrollable, regularly scheduled classes throughout the year.

**Virtual Hiring Event:** In September 2019, DCHR held the District's first virtual hiring event, an online career fair that enabled jobseekers to find work at their convenience from any location. Over 1,200 unique users attended our virtual hiring event. Using Internet Protocol (IP) addresses to show the location of users, we found that approximately two-thirds of jobseekers used a District IP address, with some potential talent from as far away as New York. Virtual attendees had the opportunity to directly connect to agency employers. Applicants and recruiters created over 2,500 unique "chat" sessions over the course of the event.

**Centralized Processing:** As mentioned previously, DCHR implemented centralized processing with all, but two agencies, under the Mayor's Authority.

**457 Auto-Enrollment:** During the 2019 fiscal year, DCHR implemented the auto-enrollment feature of the District's 457(b) Deferred Compensation program, pursuant to the Deferred Compensation Program Enrollment Amendment Act of 2017. Effective June 10, 2019, newly hired employees and rehired employees (with a break in service of three workdays or more) in the District who are eligible to participate in the 457(b) Plan are automatically enrolled to contribute five percent of their annual base salary on a pre-tax basis. With auto-enrollment, we can ensure that our employees are educated about retirement and are contributing to their retirement savings from day one.

**HR Certification:** During FY19, DCHR pilot tested an HR certification program for the District HR community. The HR Certification program exposes HR professionals in the District to foundation HR topics such as compensation, qualification analysis, performance management, retirement, HR policies, etc. Based on feedback, DCHR is launching Tier I (for HR professionals with less than three years of experience) in spring 2020. Tier I courses will provide a comprehensive overview of various HR topics such as those listed above and provide real-life examples to District HR employees.

**Moving into Management:** DCHR launched the Moving into Management Series in October 2018, with continued, on-demand training throughout FY19. By Quarter 2 of FY19, DCHR successfully trained over 165 employees across the entire three-course offering. The series was designed to introduce employees within Grades 9-13 to the fundamental skills needed to move into or through management and higher-level strategic positions. The three courses included “Emerging Leaders,” “Are You Management Ready?,” and “Propelling into Management.” Two of the three courses were offered via webinar while the other course provided participants with an in-person instructor. In addition to the Moving into Management Series, DCHR also launched the Career Navigation Series, the second installment of innovative and exciting approaches to career advancement.

**Managers Summit:** For the first time ever, DCHR hosted a Managers Summit on behalf of Mayor Muriel E. Bowser. The Managers Summit served as an opportunity for the Mayor to directly connect with the Districts 2,500 managers, members of the cabinet, and the excpeted service. The event commemorated our successes during Mayor Bowser’s first administration, shared our core values and guiding principles, and laid out our path forward in “Making a District Difference.” In addition to speeches from the Mayor and City Administrator, other sessions held were “The Fast and the Curious: Accelerating to a Culture of Service,” about the duty to act and professionalism, and “Cross Agency Collaboration to Ensure Highest Level of Customer Service,” a rapid-fire panel.

**Administrative Professionals Day:** On April 22, 2019, DCHR hosted the 2019 Administrative Professionals Day in celebration and honor of the District’s administrative staff. The day featured a series of professional development seminars designed to promote the values and importance of the great work of our administrative professionals. The Administrative Professionals Day included seminars such as, "The Give and Take of Initiative," "The Seven Levels of Professionalism," "The You Factor," "Technology Essentials," and the Meyers-Briggs Personality Type Indicator. Attendees also enjoyed Wellness Seminars on physical fitness and nutrition while gathering critical information on the homebuying process and benefit programs offered in the District.

**HR Symposium:** The DC Department of Human Resources' 2019 WeAreHR Symposium: “Building Capability, Capacity and Commitment” is the District’s largest Human Resources conference. The conference attracted HR and business professionals from across the District of Columbia Government.

The symposium featured speakers such as the Mayor, the City Administrator, the Assistant City Administrator, Director Ventris C. Gibson, Director Monica Palacio of the Office of Human Rights, and Director Steve Walker of the Mayor’s Office of Talent Appointments. The conference hosted sessions such as, “Expanding Your HR Superpowers: Coaching as a Tool for Engagement and Success” provided by True Purpose Leadership’s Kristi Dooley and a panel facilitated by the District

**Department of Transportation's Equity and Inclusion Division on "Working Towards an Inclusive and Respectful Work Environment."**

The symposium featured 17 exhibitors, including all the District's healthcare providers, the Society for Human Resources Management, the International Public Management Association for Human Resources, the Local Government Personnel Association, the Fire and Emergency Medical Services, the DC Housing Finance Agency, the DC Department of Housing and Community Development, and Eagle Bank.

DCHR also released an app on the Apple/iTunes and Google Play stores to help attendees find all the information they needed all in one spot. The app included live updates, session information, speaker bios, presentations, and industry news alerts relating to human resources, plus an activity stream for networking with District learning and development coordinators, general counsels, and fellow HR professionals. The app will continue to be an integral part of communicating with the human resources community at the Districts monthly HR Advisors meetings. The app was downloaded 263 times as of September 26, 2019, 158 unique profiles were created within the app and the app was opened and accessed 5,204 times.

4. Please provide a copy of DCHR's FY2019 performance accountability report.
  - a. Please explain which performance plan strategic objectives and key performance indicators (KPIs) were met or completed in FY2019 and which were not.

**Answer: Please see attachment 4-FY19 Performance Accountability Report.**

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

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

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

**Answer: Please see attachment 4-FY19 Performance Accountability Report.**

5. Regarding the DCHR's FY2020 performance plan:
  - a. Please provide a copy of DCHR's FY2020 performance plan as submitted to the Office of the City Administrator.

**Answer: Please see attachment 5-FY20 Performance Plan.**



- b. Discuss any changes to any outcomes measurements in FY2020, including the outcomes to be measured or changes to the targets or goals of outcomes; list each specifically and explain why it was dropped, added, or changed.

**Answer: The below KPIs were removed from the Performance Plan in FY20. Targets for the other KPIs did not change between FY19 and FY20.**

Number of personnel actions completed within same pay period/Total number of personnel actions completed	KPI	38.90 %	50.00 %	60.00 %	65%	70%	N/A	This measure was removed for our FY20 Performance plan because it is often skewed when DCHR closes out previously opened personnel actions as part of our data clean up initiative.
Promotions/ Internal Movements (promotions, transfers, conversions & reassignments)	KPI	8.00 %	10.00 %	12.00 %	50%	50%	N/A	This measure was not carried over to the FY20 performance plan because DCHR determined that it was not the best metric to show the rate at which employees receive promotions. We will continue to research the best measure to answer this question and a proper target for such a measure.
Internal Hires (Transfers, Promotions, Reassignments & Conversions)/Total Number of Hires	KPI	9.00 %	11.00 %	11.00 %	25%	25%	N/A	This measure was removed from DCHR's performance plan as we determined that the methods used were not the best way to show this information. We will continue to do more research on a better metric and determine how to incorporate eRecruit data into this measure in an effort to make the data more actionable.

6. For all **studies, research papers, reports, evaluations, and analyses**, including those provided by contractors or consultants, that DCHR prepared or contracted for during FY2019 and FY2020, as of Jan. 1, 2020:

- a. For any study, paper, report, or analysis that is complete, please attach a copy.
- b. For any study, paper, report, or analysis still underway, please provide Report name, author(s), and purpose; expected completion date; purpose and description of contents; and contract number or grant name if the report was produced by a contractor or grantee.

**Answer: No formal studies, research papers, reports, evaluations or analyses were prepared or contracted for during FY2019 or FY2020, to date.**

7. Please list and describe any **investigations, audits, or reports by outside entities** that have requested or required participation by the DCHR or any employee that were conducted during FY2019 and FY2020, as of Jan. 1, 2020, or that are ongoing. Also, please provide the url or *attach copies* of any such document that is not online. Include any routine or ad hoc monitoring, site reviews, desk audits, or other reviews or audits by federal agencies, the Office of the Inspector General, the DC Auditor, or *any other* local or federal governmental entity.

**Answer: Please see table and responses below.**

REVIEW	UNIT	DOCUMENTS
<b>FBI IT Security Audit</b> Audit evaluates security used relating to criminal history data	PCA	The FBI will issue a final audit report to MPD once completed.

- **Annual Financial Audits**

The following annual audits were completed by an independent third-party vendor selected by the Office of the Chief Financial Officer and are in progress for FY19.

**1. Comprehensive Annual Financial Report (CAFR):** The annual CAFR was conducted by SB & Company and examines the financial completeness and accuracy of new hire and termination actions within the District. Also examined is the technology used for recruiting and hiring employees (i.e., PeopleSoft). In FY19, the auditors completed all necessary field work and expressed verbally that all testing was complete and accurate. For FY20, fieldwork does not begin until the third quarter of the current fiscal year.

**2. Pension Plan Audit 401(a) and 457(b):** F.S. Taylor & Associates is currently conducting the annual audit of the retirement programs in the District, which consist of the 457(b) Deferred Compensation Plan and the 401(a) Defined Contribution Pension Plan. The Pension Plan audit examines the operations and assets of the plans, including verifying that employees are enrolled correctly and contributing the correct amounts. Fieldwork is in progress and DCHR has not received any final finding(s) or recommendation(s).

**3. Other Post-Employment Benefits (OPEB) Audit:** SB & Company is preparing the actuarial valuation of the OPEB Fund. This audit examines the completeness and accuracy of the offering, enrollment, and deduction of funds for other post-employment benefits. Fieldwork is in progress and DCHR has not received any final finding(s) or recommendation(s).

8. Please list all **recommendations identified by the Office of the Inspector General, DC Auditor, or other federal or local oversight entities** during FY2018, FY2019, or FY2020, as of Jan. 1, 2020 about DCHR or DC government personnel practices. Please provide an update on what actions have been taken to address each recommendation. If the recommendation has not been implemented, please explain why.

**Answer: Please see table on the next page.**

AUDIT	RECOMMENDATION / ACTIONS
<b>2018 ODCA - Overtime</b> <b>Audit of overtime usage and practices</b>	<p><b>Recommendation:</b> Revise Overtime (OT) Issuance.  <b>DCHR Action:</b> DCHR revised the overtime issuance to provide clarity on overtime requests and approvals. The revised issuance can be found at <a href="https://edpm.dc.gov/issuances/overtime-revised/">https://edpm.dc.gov/issuances/overtime-revised/</a></p> <p><b>Recommendation:</b> Electronic OT Approvals via PeopleSoft.  <b>DCHR Action:</b> A request has been submitted to OCTO to implement this capability.</p> <p><b>Recommendation:</b> Issue Guidance on Using New OT Approvals.  <b>DCHR Action:</b> Pending development of IT solution.</p>
<b>DC Auditor</b>	<p><b>Findings:</b> The DC Auditor found that DCHR needed to enhance its incident response policy, expand its PII policy to address data collection, further de-identify PII, conduct a formal Privacy Threshold Analysis, and conduct a formal Privacy Impact Analysis.</p> <p>In response to the audit, DCHR:</p> <ul style="list-style-type: none"> <li>• Ensured that 100% of employees completed OCTO's cybersecurity training;</li> <li>• Collaborated with OCTO to ensure that PeopleSoft, the District's government's Human Resources Management Information System, is an encrypted system;</li> <li>• Implemented Secure Print, a process that requires employees to use their badges to print any document;</li> <li>• Now uses VMware AirWatch which allows IT staff to control, secure and enforce policies on smartphones;</li> <li>• Now uses ZixEncrypt for email encryption; and</li> <li>• Installed BitLocker, a full volume encryption application, to all laptops.</li> </ul>

9. Please list all **reports or reporting** currently required of the agency in federal law, the DC Code, or municipal regulations.
  - a. For each report, include
    1. The statutory code or regulatory citation;
    2. Brief description of the requirement;
    3. Any report deadlines;
    4. Most recent submission date; and
    5. A description of whether the agency is in compliance with these requirements, and if not, why not.
  - b. Please attach copies of the reports required under 6B DCMR § 440 (suitability) and DC Code §1-515.06(a) (Residency).

**Answer: Please see response below.**

- **Voluntary Leave Transfer Program (D.C. Official Code § 1-612.38):** DCHR must provide a Voluntary Transfer of Leave Program Report to the Council on or before February 1 of each year. Last year, the report was filed with the Council on May 20, 2019, but was otherwise in compliance. We are working to provide 2020 report this year.
- **Agency Performance Report (D.C. Official Code § 1-614.13):** DCHR must develop and submit to the Council a performance report covering all major programs of the agency no later than January 15. DCHR submitted its report for January 2020. It is also publicly posted online.
- **Annual Residency Report (D.C. Official Code § 1-515.06(a)):** The Mayor must submit to the Council annual reports relating to residency, incorporating reporting from independent agencies. The required report must be submitted by December 1 of each year. DCHR published proposed rulemaking to implement this requirement in October 2019 and, as of January 2020 anticipates final rulemaking being published by mid-February. During the remainder of FY2020, DCHR will provide guidance to independent agencies on the new reporting requirements. The first report will be submitted no later than December 1, 2020.
- **Incentive Awards Report (6-B DCMR §§ 1904 and 1908):** Approved exemplary performance awards by agencies must be submitted to DCHR for final review and reported to the Mayor, City Administrator, and the Council. An incentive awards annual report shall list the name, title, and grade of each recipient, the type of incentive award, summary of accomplishments or justifications of the award, and the amount of each monetary award. A report of approved monetary awards shall be forwarded to the Council. The District started issuing incentive awards in FY17. No report was submitted to Council in FY18 or FY19, to date, because DCHR did not receive or approve any exemplary performance, monetary, or other incentive awards during those years.
- **Annual Leave Bank Report (6-B DCMR § 1258):** DCHR shall maintain for each leave year quarter, an accounting of the total hours and corresponding dollar value of employee annual leave donations to and withdrawals from the Annual Leave Bank for employees in subordinate agencies. DCHR shall review and compile the accounting reports and provide a written report to the Mayor within 60 calendar days following the end of each leave year. DCHR is working to issue the next report by March 1.
- **Suitability Compliance Report (6-B DCMR § 440):** DCHR must prepare and submit suitability compliance reports to the Mayor every six months. The specific requirements for the report have proven challenging to fulfill, and therefore producing a meaningful report has been cumbersome. DCHR produced a report in December 2018 covering the months of April through

October, 2018, but has not issued a report since that time. However, we anticipate issuing this report for the first and second halves of FY20.

- **Financial Disclosure Statement Report (6-B DCMR § 1810):** DCHR must provide to the Board of Ethics and Government Accountability (BEGA) a list of all public officials who must file Public Financial Disclosure Statements, and a list of all designees who must file Confidential Financial Disclosure reports no later than March 1 of each year. DCHR submitted the most recent report on February 28, 2019. DCHR also must notify employees of their confidential filers' designation on or before April 15 of each year. DCHR most recently notified its employees on April 5, 2019. Lastly, DCHR must submit to BEGA the confidential filers' certification report by June 3 of each year. DCHR last submitted its report on June 3, 2019. DCHR is in compliance with all reporting deadlines.
- **Freedom of Information Act (FOIA) Report (1 DCMR § 413):** DCHR must compile and submit to the Secretary its FOIA report covering the preceding fiscal year on or before December 31 of each year. DCHR submitted its last report on December 4, 2019 and is in compliance with the reporting deadline.
- **Career Pathways Report (D.C. Code § 1-608.01(b-1)(4A)):** Subordinate agencies must submit annual reports to DCHR detailing, for each new employee hired into an entry-level job during the reporting period, whether the employee is a resident District graduate. DCHR must also conduct annual audits of each subordinate agency's personnel records to ensure that all persons receiving resident District graduate consideration priority submitted requisite proof of entitlement. Audit reports must be submitted annually to the Council. This report will be submitted upon implementation of the Career Pathways program.
- **Agency compliance report with Mayor's Order 2019-081:** Per Section VI.D. of the Mayor's Order on cannabis policy, all agencies, including those with personnel authority independent of the Director of DCHR, shall provide a copy of their policies and procedures related to drug use and drug testing to the Director of DCHR. DCHR shall report to the City Administrator on whether the policies and procedures of the agencies are in compliance with this Order. DCHR has not yet submitted its first report because the Order was issued on September 13, 2019.

10. Please attach a copy the agency's **FOIA disclosure report(s)** for FY2018 and FY2019.

**Answer: Please see attachments 10A and 10B-DCHR 2018 and 2019 FOIA Report.**

11. Please attach a **log of all FOIA requests** received in FY2019 and FY2020 with the request number, the name of the requestor, the request date, and a brief description of the information requested.

**Answer: Please see attachment 11-FOIA Request Received 2019 and 2020**

## **II. Budget and Expenditures**

### ***Budget***

12. **Budget.** Please *complete the attached table* in Excel showing your agency's budget, including Council-approved original budget, revised budget (after reprogrammings, etc.), and actual expenditures, by fund source, program and activity, for FY2019 and the first quarter of FY2020. Please also include any over- or under-spending in each program and activity. Explain the reason for any variation between the revised budget and actual expenditures for FY2019 for each program and activity code.

**Answer: Please see attachment DCHR PO Template Tables 2020 (Tab Q12 Budget FY 19 & FY20 (as of Jan 1, 2020)).**

13. Please provide a copy of the detailed FY2020 NPS **spending plan** for each activity and fund in DCHR's budget.

**Answer: Please see attachment DCHR PO Template Tables 2020 (Tab Q13 FY20 Spending Plan).**

14. Please provide the following information for all **intra-District memoranda of understanding (MOUs)** for FY2019 and FY2020 as of Jan. 1, 2020, *including anticipated MOUs* for the remainder of FY2020.

- a. *Attach copies* of all intra-district MOUs.
- b. Please *complete the attached table* in Excel for all MOUs, including anticipated MOUs.

**Answer: Please see attachment 14 A – DCHR FY19 MOUs, 14 B – DCHR FY20 MOUs and DCHR PO Template Tables 2020 (Tab Q14 MOUs FY19 & FY20 ).**

15. Please provide the following information for all **intra-District memoranda of agreement (MOAs)** for FY2019 and FY2020 as of Jan. 1, 2020, including anticipated MOAs for the remainder of FY2020.

- d. *Attach copies* of all intra-district MOAs, other than those for overhead or logistical services, such as routine IT services or security.
- e. For each MOA, including anticipated MOAs, complete the table below; add rows as necessary.

**Answer: Please see table on the next page.**

## Memoranda of Agreement, FY2019 and FY2020, including anticipated MOAs

Description of MOA services or purpose, including name of project or initiative	Names of all agencies party to the agreement	Service period (dates)
To provide supplemental insurance coverage for participating employees	AFLAC & DCHR	FY2019 & FY2020
To facilitate the District's High School Leadership Institute Program	DCHR, OSSE, DOES	FY2020
To provide District employees with discounted access to University Programs	Catholic University of America	FY2019 & FY2020
To provide District employees with discounted access to University Programs	Drexel University	FY2019 & FY2020
To provide District employees with discounted access to University Programs	Excelsior College	FY2019 & FY2020
To provide District employees with discounted access to University Programs	Southern New Hampshire University	FY2019 & FY2020
To provide District employees with discounted access to University Programs	Strayer University	FY2019 & FY2020
To provide District employees with discounted access to University Programs	Trinity Washington University	FY2019 & FY2020
To provide District employees with discounted access to University Programs	University of Maryland University College	FY2019 & FY2020
To provide District employees with discounted access to University Programs	University of Phoenix	FY2019 & FY2020
To provide District employees with discounted access to University Programs	University of the District of Columbia	FY2019 & FY2020
To provide District employees with discounted access to University Programs	University of the Potomac	FY2019 & FY2020
To provide District employees with discounted access to University Programs	Walden University	FY2019 & FY2020

16. Please *complete the attached table* for each **interagency reprogramming** of funds into and out of the agency for FY2019 and FY2020, as of Jan. 1, 2020, including anticipated inter-agency reprogrammings for the remainder of FY2020.

- a. Please *attach copies* of the reprogramming documents, including the Agency Fiscal Officer's request memos and the attached reprogramming chart.
- b. For each reprogramming, including anticipated reprogrammings, complete the attached chart in Excel

**Answer:** Please see attachment **DCHR PO Template Tables 2020 (Tab Q16 A Interagency Reprogramming FY19 & FY20 and Q16 B Reprogramming Memos & Charts)**.

17. Please *complete the attached table* for each **intra-agency reprogramming** *within* your agency during FY2019 and FY2020, as of Jan. 1, 2020, as well as any anticipated intra-agency reprogrammings for the remainder of FY2020.

- a. Please *attach copies* of any reprogramming documents.
- b. Please include in the chart a detailed rationale for the reprogramming: why the funds were available and what they will be used for.

**Answer: DCHR PO Template Tables 2020  
(Tab Q17 Intragency Reprogramming FY19 & FY20).**

18. Please attach all **budget enhancement requests** submitted by your agency to the Mayor or Chief Financial Officer as part of the budget process for previous fiscal years of FY2018, FY2019, and FY2020.

**Answer: DCHR works with the Mayor's Office of Budget and Performance and the Assistant City Administrator to develop our budget. The FY2018, FY2019, and FY2020 budgets submitted as part of the Mayor's budget submission reflects those efforts.**

19. For FY2019 and FY2020, please identify any **special purpose revenue funds** maintained by, used by, or available for use by the agency.

For each fund identified, provide:

- a. The revenue source name and fund code;
- b. A description of the program that generates the funds;
- c. The revenue funds generated annually by each source or program;
- d. The purpose or use of the funds;
- e. The fund balance at the end of FY2019, the current fund balance as of Jan. 1, 2020, and the expected balance at the end of FY2020.

**Answer: DCHR PO Template Tables 2020 (Tab Q19 SPR Funds FY19 & FY20).**

### ***Expenditures***

20. Please list each **grant, sub-grant, or other types of payments**, such as federal payments, received by your agency in FY2019 and FY2020, as of Jan. 1, 2020.

List the following:

- a. Source;
- b. Purpose;
- c. Timeframe;
- d. Dollar amount received;
- e. Amount expended; and
- f. Whether the grant is a multi-year grant.

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

21. Please *complete the attached table* in Excel with information on each **grant** awarded by your agency during FY2019 and FY2020, as of Jan. 1, 2020.

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



22. Please *complete the attached table* in Excel with the following information on each **contract, procurement, and lease** leveraged in FY2019 and FY2020 as of Jan. 1, 2020, with a value amount of \$10,000 or more. “Leveraged” includes any contract, procurement, or lease used by the agency as a new procurement, contract extension, or contract option year execution. This also includes direct payments, if applicable. Treat Human Care Agreements as contracts—aggregating information by vendor for all task orders under the HCA, where relevant.

**Answer: DCHR PO Template Tables 2020  
(Tab Q22 Contracts & Procurements FY19 & FY20).**

23. Please complete the following table with information on all **credit card, p-card, or purchase card purchases and expenditures** for FY2019 and FY2020, as of Jan. 1, 2020; add rows as necessary. Alternatively, you may attach monthly statements with this *same* information; however, please name the ultimate vendor and specific purpose of the purchase for any PayPal or other transaction with an indirect payment service like PayPal.

**Answer: DCHR PO Template Tables 2020  
(Tab Q23 P-Card Purchases FY19 & FY20).**

24. Were any protests or appeals filed with the **Contract Appeals Board** in FY2019 or 2020 as of Jan. 1, 2020, against or involving your agency? If so, please complete the following table with information on each such protest or appeal; add rows as necessary.

**Answer: Please see table below.**

**Contract Appeals Board cases filed FY2019 or FY2020, as of Jan. 1, 2020**

Case number	Name of complainant	Date of complaint	Description of complaint	Disposition or Status
<b>CAB No. P-1113</b>	Aetna Life Insurance Company	11/12/2019	Post award protest challenging OCP's award of PPO contract to CareFirst Blue Cross Blue Shield - Request for Proposals (RFP) issued by OCP for Indefinite Delivery, Indefinite Quantity contracts for the provision and administration of fully insured health benefit plans for the District of Columbia employees through December 31, 2023.	Ongoing

### **III. Agency Organization and Personnel**

25. Please provide an **organizational chart** for the agency, arranged by division and subdivision, as of Jan. 1, 2020.

- a. Show for each division and subdivision:
  - i. The names and titles of all personnel;
  - ii. Include on the chart and denote as vacant or frozen any such positions;
- b. Note on the chart the date of the information if not Jan. 1, 2020.

**Answer: Please see attachment 25 - Org Chart.**

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

**Answer: Please see attachment DCHR PO Template Tables 2020 (Tab Q26 Schedule A).**

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

**Answer: DCHR does not have any vacant positions as of January 1, 2020.**

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

- a. For each term or temp employee (by position number) included in the schedule A who started in the position in FY2019 or FY2020, other than LEAP interns or Capital City Fellows, please provide a brief narrative to specify why the hire was done on a term or temp basis and not on a continuing basis.

**Answer: For FY19, each hire for a term appointment included in the schedule A was done on that basis because they were personnel services hires for MOU-funded positions. Hires on a temp appointment were all done through the District Leadership Program, which only selects participants for seasonal appointments (i.e., eight months in the fall, and four months in the summer). For FY20, all term appointments hired were either for personnel services via MOU funds, or were a part of an 18-month fellowship term. Temp appointments are again through the District Leadership Program.**

- b. For each term or temp employee (by position number) included in the schedule A, indicate the start date of the position and the expected end date; and

**Answer: Please see attachment DCHR PO Template Tables 2020 (Tab Q26 Schedule A).**

- c. For each term employee (by position number) employed during FY2019 or FY2020 whose hire date is before FY2016, please explain why the employee is term and

has not been converted to a permanent employee.

**Answer: Please see attachment DCHR PO Template Tables 2020 (Tab Q26 Schedule A).**

29. How many and what percentage of employees at DCHR as of Jan. 1, 2020, were **District residents**?

**Answer: 64 percent (126 employees)**

30. Please complete the following charts about the **residency of new hires** at DCHR in FY2019 and FY2020:

**DC Residency of Employees Hired in FY 2019**

Position Type	Total Number	Number who are District Residents	Percent of total who are District residents
Continuing	5	3	60%
Term	7	5	71%
Temporary	88	56	64%

**DC Residency of Employees Hired in FY 2020, as of Jan. 1, 2020**

Position Type	Total Number	Number who are District Residents	Percent of total who are District residents
Continuing	0	N/A	N/A
Term	15	12	87%
Temporary	23	14	61%

31. Please complete the following table regarding employees placed on **administrative leave** in FY2019 or FY2020. Specify (column 3) why the employee was placed on leave and note if the leave is a result of discipline or due to an investigation.

**Employees on Administrative Leave During FY2019 and FY2020**

Employee's job title	Reason placed on leave; specify if disciplinary or due to investigation	Length of leave	Whether employee was separated	Whether the leave was/is paid or unpaid	Their current status (as of Jan. 1, 2020).
Supv. HR Specialist	Separation	8/21/19 – 8/30/19	No return	Paid	Separated
Supv. HR Specialist	Separation	10/17/19 – 10/31/19	No return	Paid	Separated
Compliance Review Manager	Separation	9/9/19 – 9/27/19	No return	Paid	Separated

<b>Compliance Specialist</b>	Investigation	9/5/19 – 9-9-19	Returned	Paid	Active employee
<b>Supv. HR Specialist</b>	Investigation	12/18/19 – 1/7/19	No return	Paid	Separated as of Jan. 7

32. For FY2019 and FY2020, as of Jan. 1, 2020, please complete the following table on each **employee separated** from the agency, at the agency's initiation. Add rows as necessary.

#### **Employees Separated from Agency, FY2019 and FY2020**

Program, Activity, and Job title	Amount of separation pay, if relevant	Number of weeks of separation pay, if relevant	The reason for the separation; specify if it was due to probation, performance, or discipline
<b>Associate Director</b>	\$22,755.20	8	Separated
<b>Supv. HR Specialist</b>	\$27,468.00	10	Separated
<b>Compliance Specialist</b>	\$0	0	Separated
<b>Supv. HR Specialist</b>	\$0	0	Separated
<b>Compliance Review Manager</b>	\$0	0	Separated
<b>HR Specialist (Classification)</b>	\$0	0	Separated

#### **IV. Hiring and District Residency**

##### ***A. Implementation of the Pathways to District Government Careers Act***

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

33. Please provide a full **update and timeline for the implementation** of this section of the law, including any plans for regulations or guidance, PeopleSoft or other technological upgrades, strategies to target solicitations to this population, application form updates, communications with agencies' and their human resources officers regarding these requirements, and any other elements of implementation.

**Answer: DCHR is currently undergoing a phased approach for implementing the Pathways to District Government Careers Amendment Act. This approach will include identifying priority consideration areas to allow for incremental participation by agencies. The Phased Implementation Timeline, with specific timeframes and anticipated tasks, is below.**

#### **Phased Implementation Timeline**

Timeframe	Anticipated Tasks
	<ul style="list-style-type: none"> <li>Agency Onboarding sequence determined;</li> </ul>

<p><b>Phase I: Spring 2020</b></p>	<ul style="list-style-type: none"> <li>• Release of Issuance (Quarter II);</li> <li>• Launch of PeopleSoft Updates/PeopleSoft data collection for Phase I begins;</li> <li>• Phased Implementation and Program information announced at Human Resource Officer (HRO) Meeting and HRO feedback captured for consideration before official program launch;</li> <li>• Partnership Engagement and Development with DCPS/Public Charter Schools/Adult Education Providers;</li> <li>• PeopleSoft Training designed to train HROs in updated process for recruiting entry-level candidates;</li> <li>• Phase I Launch with 10 agencies;</li> <li>• Phased Marketing Campaign launches;</li> <li>• HRO Engagement Session offered for Phase I agencies which includes data review, analysis of potential areas of remediation, and discussion of proposed solutions;</li> <li>• District-wide Marketing campaign launches;</li> <li>• Initial Program Status Report is submitted to Council; and</li> <li>• Prospective Career Pathways applicants that are hired will receive official Welcome Correspondence from Career Pathways team with recommended training information.</li> </ul>
<p><b>Phase II: Summer 2020</b></p>	<ul style="list-style-type: none"> <li>• Comprehensive analysis and tracking of HRO progress continue while data remediation efforts are applied;</li> <li>• Data Analysis activities are continued;</li> <li>• District-Wide Marketing Campaign continues;</li> <li>• Continued Partnership Engagement and feedback collection with Schools and Adult Education Providers;</li> <li>• Phase I Launch concludes as final data is analyzed and revisions to the program and processes are implemented;</li> <li>• Launch of Phase II District-wide HRO engagement sessions launch in preparation for District-wide acceptance; and</li> <li>• Prospective Career Pathways applicants that are hired will receive official Welcome Correspondence from Career Pathways team with recommended training information.</li> </ul>
<p><b>Phase III: Fall 2020</b></p>	<ul style="list-style-type: none"> <li>• Launch of Phase III Engagement Sessions including remaining subordinate agencies;</li> <li>• District-wide Marketing Campaign continues;</li> <li>• Prospective Career Pathways applicants that are hired will receive official Welcome Correspondence from Career Pathways team with recommended training information;</li> <li>• Continued Partnership Engagement and feedback collection with Schools and Adult Education Providers;</li> <li>• Sustainable Activities to promote continuous program efforts are identified and communicated to HRO Community;</li> <li>• Data Analysis Reporting is conducted; and</li> <li>• FY20 Program Status Report is submitted to Council.</li> </ul>

**By the end of the second quarter of FY20, DCHR expects to disseminate its Career Pathways issuance to agency Human Resources Officers and Advisors. The issuance details the Career Pathways program, eligibility criteria, application instructions, and hiring agency directions. This issuance instructs hiring agencies on the pre- and post- vacancy posting requirements in order to maintain compliance with the Career Pathways directives. The issuance will outline the order of application of Collective Bargaining Agreement terms and conditions, explicitly clarifying that nothing in the issuance supersedes any Collective Bargaining Agreements.**

Further, the Career Pathways team worked with DCHR's Human Resources Solutions Administration (HRSA), Information Technology, and Policy and Compliance Teams to update PeopleSoft to allow for the Career Pathways eligibility criteria to be inputted and tracked. DCHR is working closely with OCTO to determine the extent to which the below proposed PeopleSoft changes can be implemented and will create comparable alternative PeopleSoft updates, as necessary. The proposed PeopleSoft update will:

- Add a "District High School Graduate" area of consideration;
- Explain the eligibility requirements for the area of consideration;
- Allow job seekers to search jobs using the "District High School Graduate" filter;
- Allow Human Resources recruiters to easily identify applicants applying with the District High School Graduate criteria; and
- Incorporate codes that allow the Career Pathways data to be tracked and captured through reports in the system.

To reach the entire target population, DCHR will be deploying a multi-strategy approach. The strategies that the Career Pathways team will use include:

- Working closely with HR personnel at the hiring agency to ensure that entry-level positions are correctly identified for inclusion in the priority consideration area;
- Creating a high visibility marketing campaign to increase awareness about the Career Pathways program;
- Designing a distinct one-pager that instructs job seekers on how to search for jobs in PeopleSoft;
- Vigorously participating in District-wide hiring events and job fairs;
- Partnering with DC Public Schools, DC Public Charter Schools and District Adult;
- Educating providers to support their graduating students in applying for entry-level positions in District governments; and
- Engaging with other District agencies that are involved in the District's workforce development arena to ensure their applicants are aware of the Career Pathways program and available entry-level positions.

Lastly, during the phased rollout the Career Pathways Team will work directly with agency HROs to support them throughout the hiring process. Simultaneously, we will inform the larger HRO community about the Career Pathways Program and the phased rollout process. Through the phased communication, DCHR will provide engagement sessions and training on the new processes for HROs. A graduated information sharing process will allow us to capture HRO concerns and work to reduce and address them in preparation for seamless District-wide acceptance.

34. The law requires that each subordinate agency head **submit quarterly reports** to the Mayor and Council detailing “the names of all new employees and their pay schedules, titles, and place of residence and whether, for entry-level positions, the new employee is a resident District graduate.” Please describe how DCHR has implemented this requirement. Specifically:

- a. Has DCHR issued guidance to the agencies informing them of this requirement? Please attach a copy.

**Answer: No. To track whether an employee is a “resident District graduate” requires system modifications. Those technical changes to PeopleSoft and the e-Recruit system are actively being pursued. Once completed, these reports will be generated by DCHR for all subordinate agencies. DCHR will develop internal operational guidance for accomplishing this requirement. However, since the technical pieces have not been finalized, guidance is premature.**

- b. What role is DCHR playing to ensure these reports are developed and submitted as required? If another agency will lead collection of these reports, please state which agency.

**Answer: Please see response 34 A.**

35. The law also requires that the Mayor integrate into each subordinate agency's yearly **performance objectives** the rate of success in hiring District residents and resident District graduates. Has this been implemented for FY2020? If not, when will it be?

**Answer: DCHR worked to ensure that yearly performance targets for the hiring of District residents were implemented in agencies' performance plans in FY20 for those under the Mayor's Authority. DCHR is working with OCTO to implement the identification of District graduates in PeopleSoft.**

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

- a. Has DCHR established policies, conducted trainings with agencies, and set up systems to establish what constitutes proof entitlement? Please describe these.

**Answer: DCHR is continuing to develop these materials and hope to have them finalized in early calendar year 2020.**

- b. Has DCHR begun conducting these audits? What is the process and what have the results been?

**Answer: No. As noted in our response to Question 35, we are still developing the technical infrastructure.**

- c. If DCHR has not yet taken action, what is the timeline to do so? What activities are anticipated? When will the first report be submitted to Council?

**Answer: We are hopeful the first audit report will be issued at the close of FY20.**

- 37. The second part of the Pathways Act requires that DCHR establish **partnerships with District high schools** to foster the hiring of more resident District graduates into District government employment. (DC Code § 1–604.02a). The specifics of the partnerships are at the discretion of DCHR. Please provide an update on what activities DCHR has undertaken or plans to undertake, to establish and operate these partnerships.

**Answer: The Career Pathways team is building relationships with integral partners throughout the District. Already, they have met with the Careers and Technical Education team at DC Public Schools (DCPS) and with the Assistant Superintendent of Postsecondary and Career Education at the Office of the State Superintendent of Education (OSSE). Additionally, we also engaged the Executive Director of the UDC Office of Planning and Institutional Effectiveness and have participated in two DCPS Career Fairs.**

**Through these preliminary meetings, the Career Pathways team were informed of some of the challenges the partners experienced while helping their students attain employment. These challenges include, but are not limited to, ensuring that high school graduates are engaged in post-secondary education or career opportunities, offering work readiness and life skills training for recent high school graduates, and providing support in sustaining employment. Gathering the various perspectives from DCPS, OSSE, and UDC is instrumental in helping the Career Pathways team consider the development of certain aspects of the Career Pathways program. Each of these stakeholders expressed definitive interest in partnering with the Career Pathways program, and the partnership parameters will continue to be explored and finalized.**

### ***B. Implementation of the District Government Employee Residency Amendment Act***

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

- 38. Please provide a full **update and timeline for the implementation** of this law, including

- f. Outreach to other agencies to inform them of new requirements, including to independent agencies and instrumentalities;



**Answer: DCHR holds monthly HR Advisor meetings and quarterly HR Policy Review Panels. The residency law changes have been topics of discussion at several HR Advisor meetings and at the policy review discussions. DCHR will hold another policy review meeting in the coming weeks, and residency is scheduled to be one of the items discussed.**

- g. A description of technology required to implement the new District residency verification and auditing requirements and status of data-sharing with the Department of Motor Vehicles (DMV); and

**Answer: DCHR, DMV, and OCTO are collaborating on the necessary data exchange between DMV and DCHR to implement new verification tools. DCHR will supply a list of individuals who are subject to residency requirements to DMV electronically, and DMV will return “yes or no” depending on whether the individual has a valid license or ID on file. The results will be electronically loaded into PeopleSoft. Beyond the data sharing, no additional technology is required.**

- h. Whether DCHR will issue regulations and policies, a description of what will be issued, and the timeline.

**Answer: DCHR will issue rules and policy guidance that outline residency requirements based on the Act, provide descriptions of proofs in the absence of a license/ID, provide general guidelines for hardship waivers, and establish procedures for auditing/compliance and due process procedures for individuals in violation of residency requirements. We will likely issue two or three different policy guidance documents. The first one, which is currently in development, outlines preferences and requirements, and explains how to prove residency. The second and third documents will address compliance and reporting.**

39. For each agency, how many DC government employees are subject to the new requirement that “**highly-compensated employees**” (earning at least \$150,000 per year) be DC residents? How has DCHR implemented this requirement, such as informing relevant employees and confirming employees’ compliance?

**Answer: Between May 23 and December 23, 2019, the number of Career, Educational and Management Supervisory Service employees with salaries of \$150,000 per year or more, by agency, are as follows:**

AGENCY	NUMBER
DC Public Schools	6
DC Retirement Board	1
Department of Behavioral Health	2
Department of Health	2

Department of Youth Rehabilitation Services	1
Dept. of Forensic Sciences	1
Dept.of General Services	1
Dept. of Health Care Finance	2
Deputy Mayor for Education	1
Disability Services	1
District Department of Transportation	1
Health Benefit Exchange Authority	1
Metropolitan Police Department	2
Office of the Attorney General	1
Office of the Chief Financial Officer	1
Office of the Chief Medical Examiner	1
Office of the Chief Technology	1
Office of the State Superintendent	2
Grand Total	28

**DCHR implemented this requirement by informing agency HR Advisors of the requirement through HR Advisor meetings, Policy Review panels, and Compliance meetings. DCHR is updating offer letters to inform new employees of this requirement. To ensure compliance, DCHR created a specific query of employees earning more than \$150,000 per year that is checked on a quarterly basis.**

40. Please describe how DCHR has implemented the requirement in DC Code § 515.04(b) that the Mayor has **verify compliance** with residency requirements for hires who took preference points (as per § 515.02) or employees in positions that require DC residency (as per § 515.03). Specifically, has DCHR conducted any audits? Please describe the audit process and provide the results of audits conducted so far, including which agencies were audited, number of employees audited, and any findings.

**Answer: DCHR verifies compliance for new-hires who claimed residency preference during the onboarding process by checking their DC license on site before New Employee Orientation (NEO). DCHR scans the license and uploads this information into PeopleSoft. The employee also signs a form confirming that they understand the parameters of the residency preference. Two weeks after NEO, DCHR pulls a query to confirm that these new employees have claimed DC as their state tax of withholding.**

**Employees who are subject to a statutory residency requirement have 180 days to become District residents. These employees sign a form during NEO confirming that they understand the parameters of the residency requirement. DCHR works with the agencies to confirm employees have attained a District license in the requisite time. DCHR also pulls a residency query through PeopleSoft to verify that they have claimed DC as their state tax of withholding.**

To conduct audits, DCHR has created three specific query reports: (1) that details employees who have claimed residency preference, (2) one that details executive and excepted employees and senior executive attorneys who are subject to residency requirement, and (3) one for applicable employees who were hired at a rate of \$150,000 or more annually. Currently, DCHR provides a listing of employees subject to the residency requirement and employees who have claimed residency preference to the agencies for review. DCHR verifies those who are in compliance and have maintained residency. Those who are not in compliance are subject to removal through Chapter 16 of the District Personnel Manual. Additionally, DCHR randomly audits 20 percent of this pool and verifies their licensure and proof of residency through additional means. DCHR also audits three independent agencies a year.

In late 2019, DCHR tested the new audit process with six agencies. Based on feedback from the pilot process, we are confident in implementing with all agencies.

41. How has DCHR implemented the **change in documentation required** to prove residency, from requiring 8 paper proofs to requiring proof that an individual has a driver's license or non-driver identification issued by the DMV and that the District government will deduct and withhold District income tax from wages? Has DCHR informed all human resources officials of this change? Please provide a copy of such notification. How has DCHR verified that the new proofs are now utilized by every agency?

**Answer:** Prior to passage of the change in documentation requirement, DCHR discussed the upcoming changes with HR Officers and HR Advisors through HR Advisor meetings, HR Officer meetings, and policy review panels. We have also been advising agencies during the new hiring processing phase of the recruitment process. During the New Employee Orientation sessions, DCHR compliance staff are scanning new hires' DMV issued license and/or identification, as well. We are still working through the data processing component, but once complete, the scanned data will be uploaded into PeopleSoft. DCHR is also finalizing an official issuance that outlines the new proof requirement. And, lastly, DCHR published [proposed rulemaking](#) on October 4, 2019, and is preparing to publish final rules in the coming weeks.

### *C. Training and internships*

42. Please provide an update on the **LEAP program** in FY2019 and FY2020, including total number of participants (including continuing participation, not just new onboards), number of participants by agency, number who completed, number who obtained unsubsidized employment after completion, and any other relevant information.

**Answer:** Please see the table on the next page that displays the LEAP program statistics for Cohorts 19-23 which all began in FY19 and have carried over into FY20. Cohorts 22 and 23 are scheduled to end in January 2020.

LEAP Program Statistics Table	Cohort 19	Cohort 20	Cohort 21	Cohort 22	Cohort 23	Total
Start Date	11.30.18	12.10.18	4.1.19 (6 mos.)	6.24.19	8.19.19	
End Date	11.30.19	12.10.19	10.1.19	1.8.20	1.19.20	
Host Agencies	DOES	DOES	DFHV	DHS, ORM, OAH	DHS, OAH, DCRA	
Cohort Total	3	2	1	15	9	30
Hired	2	2	1	1	1	7
Separated	0	0	0	1	0	1
Still Active	1	0	0	13	8	22
Employed by Agency	N/A	N/A	0	5	1	6
Employed Outside Agency	N/A	N/A	0	0	0	0
Employed Outside Gov't	N/A	N/A	1	1	0	2

43. Please provide a summary of activities in FY2019 and FY2020 regarding the **High School Internship Program** or similar program, including number of participants, agencies where they interned, how DCHR tracks and measures outcomes of the program, and results for such measurements.

**Answer:** The High School Leadership Institute (HSLI) served 10 students in the 2018-19 Academic Year, and is currently serving 12 students in the 2019-20 Academic Year. Since its inception, the program has provided juniors and seniors with meaningful opportunities to experience the District Government workplace while also being exposed to high performing leaders and staff across the various agencies. The students work an average of nine hours per week alongside strategically selected staff and others.

A core aspect of the HSLI Program is the mentoring component. Each student is matched with a critical mentor to serve as a guide, thought partner, and professional resource. It is recognized that students at that pivotal age range benefit tremendously from trusting and responsible individuals other than their parents. Through the mentorship component, participants provide monthly mentoring updates that summarize the engagement of the interns with their mentors. The students also participate in several professional development activities, such as a series of reviews of inspirational movies and discussions, coaching sessions with training and coaching team members from the Center for Learning Development, panel presentations and discussions on different topics, socio-cultural excursions to museum, etc.

To that end, students reply to a weekly communication from the program manager with guided reflections based on the quotes that are included in the communication. In addition to the adults who supervise them at their host agencies, the students have access to the team at the Center for Learning on the average of once every other week in an effort to gather support and guidance on their current internship experience.

HSLI participating agencies include the OCTO, OCP, Department of Consumer and Regulatory Affairs (DCRA), and DCHR.

At the completion of the program, interns share Portfolio Presentations reflecting growth, lessons-learned, evolved thought processes, and strategic decision making as a result of their participation in the HSLI. The graduating interns from 2018-19 are all currently in college and striving. The graduating interns of 2019-20 are currently engaged in the college application process being supported by their mentors. The HSLI Program has added tremendous value to the professional and personal experiences of all of the interns.

***D. Data on DC resident hiring and employees***

44. Please provide DCHR's target for and outcome of the percentage of new District government employees who were District residents in each year from FY2017 through 2020. Please discuss the reasons for any changes in the target percentages.

Fiscal Year	Target	Actual	Description
FY 2017	60.00%	49.00%	No change from previous Fiscal Year.
FY 2018	60.00%	51.40%	No change from previous Fiscal Year.
FY 2019	55.00%	50.90%	This target was decreased to make it more attainable. With a target of 60%, DCHR had consistently had an overall outcome of "Unmet"
FY 2020	55.00%	Pending	No change from previous Fiscal Year.

45. What efforts, if any, has DCHR undertaken to increase hiring of District residents into District government employment in FY2019 and what are the agency's plans in FY2020? Have the efforts been successful? Why or why not?

**Answer:** On March 21, 2019, DCHR, in partnership with the District Department of Employment Services (DOES) and the DC National Guard, hosted the Making a District Difference Week for District residents and other jobseekers. Seventy employers (20 of which were District agencies) participated in the event and advertised 160 open positions. Over a thousand job seekers registered for the event, and 575 unregistered individuals attended. Several agencies appeared onsite to assist residents with housing information, public library programs, and other useful information. As of May 2019, District government and private sector employers made total of 92 offers of employment to jobseekers. DC Government extended 20 offers, and the private sector extended 72 offers.

Also, as an element of Making a District Difference Week, DCHR assisted residents with *Career Prep* from March 11-15, 2019. During this timeframe, we assisted residents with developing resumes and perfecting interview skills. HR Officers from other agencies and DCHR professionals provided one-on-one resume writing and review advice. In addition, attendees learned about the application process and tips for making a successful application. Additionally, to further help our residents achieve success we provided free professional attire to 36 residents, and provided a barber who cut and trimmed 10 residents' hair at no charge. In addition, we assisted residents in resume development and job applications at three different DHS Service Centers (H Street, Congress Heights, and Anacostia).

In partnership with the DC National Guard, DCHR hosted DC Hires Vets, an event only for the District's Veterans, on November 15. The hiring event was targeted for DC Veteran's and qualified spouses. Almost a thousands individuals registered.

In September 2019, DCHR held the District's first virtual hiring event, an online career fair that enabled jobseekers to find work at their convenience from any location. OCTO, DCRA, Department of Human Services (DHS), District Department of Energy and Environment (DOEE), and DOES participated in the event. Over 1,200 unique users attended our virtual hiring event. Using Internet Protocol (IP) addresses to show the location of users, we found that approximately two-thirds of jobseekers used a District IP address, with some potential talent from as far away as New York. Virtual attendees had the opportunity to directly connect to agency employers. Applicants and recruiters created over 2,500 unique "chat" sessions over the course of the event.

In summary, based on feedback from agencies, the initiatives described above have been well received and helped agencies locate, identify, and hire qualified applicants to fill their job vacancies. DCHR is looking forward to hosting multiple virtual and face-to-face hiring events in the upcoming year as we focus on hiring more District employees.

46. For FY2019 and FY2020, as of Jan. 1, 2020, please *complete the attached table* in Excel with the following information for each District government agency, including independent agencies and instrumentalities: the current total number of all employees within the agency, the number of employees residing in DC within the agency, the **percentage of employees residing in DC** among all employees, and the number and percentage of DC residents within each of the following groups:

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

**Answer: DCHR PO Template Tables 2020 (Tab Q46).**

47. Please provide the following information regarding applications and hiring related to **residency preference points** in FY2019 and separately in FY2020, as of Jan. 1, 2020. Please provide the data for each agency, including independent agencies and instrumentalities.

- a. Total number of applicants to open positions;

- b. Number of applicants who were District residents;
- c. Number of applicants who claimed residency preference points in their applications;
- d. Number of applicants whose right to residency preference points was verified;
- e. Total number of new hires
- f. Number of new hires who were District residents; and
- g. Number of new hires who received residency preference points.

**Answer: Please see attachment 47-Residency Preference Points. Agencies who have “0” in columns B, C, D, I, J, or K do not use eRecruit in PeopleSoft as their Applicant Tracking System and thus data is unavailable.**

48. If the **report regarding residency of new hires** required under DC Code §1-515.06(a) is not attached with Question 9, please list each District agency, including independent agencies and instrumentalities, and for each agency, provide the following data for FY2019 and FY2020:

- a. the name, position title, pay schedule, and description of hardship circumstances of any employee who received or had a waiver of residency requirements; and

**Answer: No waivers were issued by DCHR in FY19 or FY20.**

- b. the name, position title, and action taken with the reason for action taken, if any, of any incumbent employee who failed to maintain residency as required under any law.

**Answer: In FY2019, one DOEE employee, a Program Analyst, was determined to be out of compliance with the residency requirements. The employee voluntarily resigned after being notified of non-compliance.**

### ***E. Term and Temp Employees***

49. Please *complete the attached table* in Excel organized by each District government agency, including independent agencies and instrumentalities, with the number and percentage of new hires in FY2018, FY2019 and FY2020 as of Jan. 1, 2020, that were **Term or Temporary**. Explain any trends upward or downward in the numbers provided for each agency.

**Answer: DCHR PO Template Tables 2020 (Tab Q49). .**

50. Please provide a summary of activities by DCHR with other agencies in FY2019 and FY2020 to **educate and/or enforce rules regarding hiring of term and temp employees**, in term of both ensuring that no jobs are hired non-competitively in violation of any law or policy, as well as ensuring review of the designation of employees who have been term for more than 4 years. Please attach copies of any relevant policies or issuances that are not online, as well as any data regarding reviews or audits by DCHR and its findings.



**Answer:** In FY2019, DCHR's HR Solutions Administration advised agencies on the limits of term and temp appointments. Specifically, DCHR advised agencies that term and temp appointments can only be used for limited duration assignments and projects, with some exceptions for position that are not locally funded. Recognizing that a number of employees were hired as term appointments contrary to this guidance, DCHR issued a variance on October 23, 2018, that authorized the conversion of term appointments into permanent appointments (link to [variance here](#)). This variance expired on April 30, 2019.

## **V. Employment and Work Conditions**

51. For FY2019 and FY2020, as of Jan. 1, 2020, please attach a searchable chart in Excel with the following information on **complaints or grievances filed** or reported to DCHR regarding the District government's hiring process and hiring practices, work conditions, or any other matter.

- a. Please include the employing/hiring agency of the complainant, the type of complaint filed, whether the complainant was an employee or applicant, the date of complaint filing, the nature of the allegations alleged (e.g. hiring process, discrimination, sexual harassment, etc.), any steps taken to resolve the case and by whom/which agency, and the status of the case as of Jan. 1, 2020.

**Answer:** Please see attachment 51-Complaints and Grievances, FY19 and FY20.

52. DCHR has been working to implement the **Mayor's order on sexual harassment**.

- a. Please provide an update on the status of sexual harassment training for all District employees subject to the Mayor's order, including employees in management roles. Please identify the number of employees who have not completed trainings, and for each employee or category of employees, explain why the training was not completed and what efforts the agency is taking to make sure the employees complete the training.
- b. Please detail any forthcoming plans for further implementation of the Mayor's order, if any, and include a timetable for the execution of those plans.
- c. At the 2019 performance oversight hearing, DCHR indicated that a web training for sexual harassment officers (SHOs) across the government was nearly complete. Please provide a link to that training or a copy of relevant presentation. Please also provide an update on how many SHOs participated in the training and from which agencies.
- d. Please describe the role of the **sexual harassment coordinator**, new in FY2020, and any accomplishments to date.

**Answer:** In 2019, DCHR took several important steps to further implement the Mayor's Order on sexual harassment, as follows:

- (a) DCHR provided four interactive trainings in 2019 on investigations which were well received by the over 60 Sexual Harassment Officers (SHOs) who attended and included live demonstrations and guidance from experts from the federal Equal



Employment Opportunity Commission.<sup>1</sup> Attendees rated these trainings very high and DCHR intends to use their feedback to inform future SHO trainings. For example, DCHR will create a 2020 calendar of monthly brown bag sessions where SHOs can continue to receive best practice tips and cross-training from seasoned investigators as well as build relationships with other SHOs.

- (b) At the end of 2019, DCHR also updated its manual on sexual harassment reporting and investigations to further educate and empower SHOs in conducting their responsibilities.
- (c) DCHR has communicated and worked with the training community to ensure employees complete an online sexual harassment refresher by Jan. 30. Once the deadline passes, DCHR will compile the report and provide to Council by March 1, 2020.
- (d) DCHR recently hired the Sexual Harassment Program Coordinator for the District. This individual will function as the District's subject matter expert on sexual harassment prevention and will be responsible for: planning, developing, implementing, and monitoring the Sexual Harassment Prevention Program; tracking and enforcing reporting and investigation requirements of the Mayor's Order and DCHR sexual harassment policies; providing information and guidance to district agencies and leaders on sexual harassment in the workplace; facilitating the sexual harassment taskforce to help develop, update, and inform policies and practices around sexual harassment prevention in District agencies; and support agency SHOs by providing trainings, guidance and assistance around sexual harassment investigations. The Program Coordinator began work on January 6, 2020.

## **VI. Employee Benefits and Taxes**

53. In total across District government, how many individuals' requests for **paid parental leave** were granted in FY2019 and FY2020, as of Jan. 1, 2020? What was the average length of the leave (in days)?

**Answer:** We do not directly track parental versus family leave. However, based on available data, approximately 73.5 percent of all claims appear to be for family leave and 26.5 percent appear to be for parental leave. Unfortunately, we cannot distinguish between average leave length for parental versus family leave. Therefore, this information is provided in a summary fashion below (NOTE: DCHR does not oversee DCPS' PFL processing so DCPS has been excluded from the below data):

Period	Parental Leave Approved	Family Leave Approved	Total PFL Approve	Days Approved	Days Used
FY 2019	~ 823	~ 2284	3107	36.3	22
FYTD 2020	~ 66	~ 184	250	36.8	9

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<sup>1</sup> Based on feedback from SHOs and other stakeholders, DCHR decided that these in-person, interactive trainings would be more beneficial than the previously envisioned web trainings.

54. In total across District government, how many individuals' claims for **paid family leave** other than parental leave (e.g., family caregiving, but not including annual sick leave) were granted in FY2019 and FY2020 (as of Jan. 1, 2020)? What was the average length of the leave (in days)?

**Answer: Please see the response to Q53.**

55. Please provide an update on activities in FY2019 and FY2020 related to the agency's efforts to **increase the number of employees participating in the 457(b) plan** and any data capturing their results.

**Answer: As of the end of FY19, there were 17,007 active District employees enrolled in the 457(b) plan. There were 3,468 new enrollees for the fiscal year, representing an increase of 26 percent. The majority of this increase can be attributed to the implementation the auto-enrollment feature of the Deferred Compensation Program Enrollment Amendment Act. DCHR has also implemented the Retirement Readiness seminar series, aimed to train employees on related regulations and guidance, and provide retirement focused seminars, including the benefits of 457(b) enrollment. The 457(b) vendor, ICMA-RC, also hosts a variety of retirement and financial readiness seminars at various District agencies, averaging over 20 sessions and reaching 500 unique employees a month.**

56. Please provide an update on the **tax withholding error** that DCHR discovered in FY2017. The District entered into a contract with KPMG, a professional services and accounting firm, to review this payroll tax withholding error. In late 2019, DCHR reported to the Committee that the investigation was complete and DCHR had notified individuals affected (i.e. who overpaid or underpaid FICA taxes) between 2014 and 2019. Please provide the following information:

- a. How many total employees overpaid FICA between 2014 and 2019?

**Answer: As of January 1, 2020, DCHR identified 177 employees with FICA overpayments between 2014 and 2019. DCHR is continuing to finalize this issue and will provide updates to the extent the numbers change.**

- b. How many total employees underpaid FICA between 2014 and 2019?

**Answer: As of January 1, 2020, DCHR identified 1821 employees with FICA underpayments between 2014 and 2019. DCHR is continuing to finalize this issue and will provide updates to the extent the numbers change.**

- c. Does DCHR know if any employees were impacted prior to 2014? How many in each group?

**Answer: Based on the records we reviewed, some employees were impacted prior to 2014. The project focused on employees who received District paychecks during tax years 2014 forward based on Internal Revenue Service (IRS) regulations that restrict changes in closed tax years, which is prior to 2014 for the District. To the extent employees who were impacted between 2014 and 2019 were also impacted prior to 2014, those employees fall within the scope of employees whose IRS records DCHR is working to correct.**

- d. Of those employees who overpaid and are due a refund, how much total money are they owed? How many have elected for the District to secure a FICA refund on their behalf?

**Answer: DCHR is working to finalize the refund amount due based on response letters from employees who were notified of an overpayment.**

- e. Of those employees who underpaid and may owe back taxes, how much total money do they owe? Will the District pay that on their behalf?

**Answer: DCHR is currently working with relevant federal stakeholders to reach a conclusion on this.**

- f. Does the District owe any money to the federal government—whether back taxes or penalties? How much?

**Answer: DCHR is currently working with relevant federal stakeholders to reach a conclusion on this.**

## **VII. DCHR Operations**

**57. For FY2019 and FY2020, to date, please provide the Committee with a list of upgrades to the PeopleSoft system.**

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

- b. Please be sure to include the upgrades necessary to implement Section 2(c) of the Pathways to District Government Careers Amendment Act of 2018, which requires that District agencies solicit applications from, interview, and exclusively consider for entry-level jobs resident District graduates (of DC high schools) prior to considering other candidates.

PROJECT	DESCRIPTION	TIMEFRAME
<b>Union Dues Automation</b>	Allows for employees to select to have union dues withdrawn from paychecks in PeopleSoft.	Completed April 2019
<b>457(b) Auto-enrollment</b>	New employees will automatically have five percent of their paycheck auto-enrolled in the 457(b).	Completed July 2019
<b>PeopleSoft Update Manager(PUM) 30</b>	Makes updates to Oracle that supports various enhancements, such as eOnboarding and various fluid components.	Completed October 2019
<b>eOnboarding</b>	Allows for electronic completion of 10 onboarding forms and the I-9 in PeopleSoft.	Completed October 2019
<b>Veterans Career Site</b>	Created the Veterans Career site for job postings. A new application template was also created to support veteran hires.	Completed November 2019
<b>Career Pathways</b>	eRecruit will be upgraded to include a special area of consideration for job postings called <b>District High School Graduate</b> . eRecruit will have the ability to identify these applicants in the applicant pool.	Business requirements completed. Development in progress. Target date: January 31, 2020
<b>ESS Upgrade Manager Delegation</b>	Employee Self Service will allow a manager to delegate the following transactions: <ul style="list-style-type: none"> <li>• Manage/Approve Overtime Requests,</li> <li>• Manage/Approve Reported Time,</li> <li>• Manage/Approve Absence Requests, and</li> <li>• Approve Performance Documents.</li> </ul>	Configuration completed. Deployment scheduled. Target date: February 2020
<b>Drug Policy Compliance</b>	PeopleSoft will require a Drug Usage Acknowledgement for employees who are currently in a Safety or Safety-MVO position.	Business requirements completed. Development in progress. Target date: February 2020
<b>Military Leave Tracking</b>	PeopleSoft will have the capability to track the hours for an approved Military Leave request the same as an approved PFL request.	Business requirements completed. Under development in conjunction with OPRS. Target Date: April, 2020
<b>Drivers License Verification</b>	Activation of the drivers license tables to track/validate drivers license compliance for employees who are required to operate a motor vehicle.	Development in progress. Target Date: Q3 FY20

<b>Residency Verification</b>	PeopleSoft will interface with the DMV to validate residency compliance. A valid driver's license or non-driver ID will be used to verify District residency.	Business requirements completed. Development in progress. Target Date: Q2 FY20
<b>ESS Upgrade Gender/Name Change</b>	Modify the workflow to employees to initiate a Gender and/or Name change.	Business requirements under development. Target Date: Q3 FY20

58. Please provide an update on activities in FY2019 and FY2020 continuing the process of implementing a **shared services delivery** model and any data capturing their results.

**Answer: The shared services delivery model began with the implementation of centralized processing. As of November 2019, DCHR implemented centralized processing with all but two agencies under the Mayor's Authority. This effort included: hiring and training new processing staff, creating processing service level agreements based on the action, implementing a tracking system in RemedyForce, updating PeopleSoft access and roles, communicating and meeting with impacted agencies, and gathering feedback from agencies on needed tools, resources, and other recommendations. In FY20, DCHR will implement centralized processing with the remaining two agencies. In addition, DCHR will enhance the quality assurance tools, service level agreements, dashboards, and standard operating procedures. Since the launch of centralization, DCHR has processed 9,263 actions in PeopleSoft. Centralization resulted in 3,927 or 42 percent more actions being reviewed and processed under the umbrella of DCHR.**

## **VIII. Complaints and Disputes**

59. Please list in chronological order any **grievances filed by labor unions** against DCHR or any employee of DCHR in FY2018, FY2019, or FY2020, as of Jan. 1, 2020. Include on the list any earlier grievance that is still pending in any forum. Also include any grievances filed by unions that involves a current employee of the agency related to a matter that arose at previous District government employment of the employee at another agency.

For each grievance:

- Provide the union name and local number, a brief description of the matter, and the current status.
- Describe the response to each complaint or grievance and any change to agency policies or procedures as a result.
- For any complaint or grievance that was resolved in FY2019 or FY2020, as of Jan. 1, 2020, describe the resolution or outcome.

**Answer: Please see the table on the next page.**

GRIEVANCE	RESPONSE	RESOLUTION
<b>AFSCME 2019</b> <b>Union challenged designation of sanitation workers as “safety-sensitive.”</b>	Agency denied AFSCME’s grievance as designations are supported by evidence.	Arbitrator found in favor of the District, denying the union’s grievance.
<b>NAGE Local R3-07</b> <b>Union challenged designations of dispatchers as “safety-sensitive” and challenged drug testing procedures as they relate to OUC</b>	Agency denied NAGE’s grievance as designations are supported by evidence and the union failed to identify any evidence to support their procedural concerns.	Pending mediated resolution.

60. Please list in chronological order any other (non-union) **grievances or complaints against or regarding DCHR or any of its personnel, filed by any District government employee**, that were filed or pending in FY2019 or FY2020. Include complaints filed in any forum, including with other District agencies; complaints on any matter, including human resources, personnel, sexual harassment, financial, or other matters; and complaints filed against a current agency employee related to their employment at the agency, or related to any previous employment at another District agency. Include on the list any earlier grievance that is still pending in any forum, including review by another District agency.

For each grievance or complaint:

- Provide the agency name and office of the complainant at the time the matter occurred.
- Provide the name of the forum or agency to which the complaint was filed.
- Provide the name of the forum or agency to which a complaint was referred by the original, receiving forum or agency.
- Specify if the complaint concerns a direct colleague or supervisor of the complainant.
- Provide a brief description of the matter and the current status.
- Describe the response to the complaint or grievance, including any disciplinary action taken, employees transferred to a different role, or any changes to agency policies or procedures.
- For any complaint or grievance that was resolved in FY2019 or FY2020, to date, describe the resolution or outcome.

**Answer: Please see the below table.**

Agency/ Office of Complainant	Forum	Colleague or supervisor?	Description	Current status	Response	Outcome
<b>DCHR</b>	OIG	Supervisor	Allegation of unfair hiring practice	Closed	Investigation conducted; claims unsubstantiated	DCHR provided response letter to OIG.
<b>DCHR</b>	OHR	Supervisor	Sexual harassment/discrimination	Pending	DCHR disagrees with the merits of the complaint; responded in position	OHR investigation pending

					statement and to production requests	
<b>DCHR</b>	Department of Labor VETS	Agency	Former employee alleging noncompliance with USERRA	Pending	DCHR disagrees with the merits of the complaint; responded in position statement and to production requests	DOL investigation pending
<b>DCHR</b>	Administrative grievance	Supervisor		Closed	Informal resolution.	Employee rescinded grievance
<b>DCHR</b>	OIG	Supervisor	Bullying	Closed	Coaching and support provided; management changes implemented.	Management changes made.
<b>DCHR</b>	District Court	Colleague	Allegation of threats made outside employee's tour of duty	Closed	DCHR separated the employees' work stations and allowed them to attend their court hearing.	Request for protective order was denied by court; matter was dismissed.
<b>DCHR</b>	Administrative grievance	Supervisor and colleagues	Unprofessional and discriminatory behavior; slander; leave abuse; mishandling of information; inappropriate sexual comments.	Closed	Investigation conducted; claims unsubstantiated	DCHR provided employee with grievance response and outcome/findings of sexual harassment investigation; DCHR restructured team and changed reporting structure.
<b>DCHR</b>	Administrative grievance	Agency/supervisor	Challenging suspension issued for disciplinary reasons	Closed	Informal resolution reached by parties	Parties reached mutual agreement and grievance was closed.
<b>DCHR</b>	EEO Counselor	Supervisor	Discrimination based on race, color, sex, personal appearance, disability, and gender identity; retaliation	Closed	DCHR disagreed with merits of complaint.	EEO Exit letter issued

61. Please list in chronological order all **administrative grievances or complaints filed by parties outside District government** against DCHR regarding services provided by or actions of the agency or any employee of the agency in FY2019 or FY2020, as of Jan. 1, 2020. Include on the chronological list any earlier grievance that is still pending in any forum.
- Describe the complainant (e.g. [Program name] customer)
  - For each grievance or complaint, give a brief description of the matter as well as the current status.
  - Please describe the process utilized to respond to the complaint or grievance and any changes to agency policies or procedures as a result.
  - For any complaints or grievances that were resolved in FY2019 or FY2020, to date, describe the resolution.

**Answer: Please see the below table.**

Description of Complainant	Brief Description	Process Used to resolve	Status
<b>Contractor intern</b>	Allegation of Sexual Harassment & Employee Misconduct	Investigations conducted; complaint partially substantiated; notice issued to complainant; discipline issued.	Closed 7/1/2019

62. Please list all **lawsuits** that name or are concerned with DCHR, any division, or employee of the agency (related to the employee's work), which are pending or which concluded in FY2019 or FY2020, to date.
- Provide the case name, court where claim was filed, case docket number (for ex., 2017 CA 007722 P(MPA)), current status of case, and a description of all causes of action, counts, and/or allegations in the filed complaint.
  - Attach a copy of each complaint and any response filed by the agency or its legal representative.

**Answer: Please see the below table.**

Case Name	Court	Docket No.	Current Status	Description
<b><i>Barry v. DCHR</i></b>	D.C. Superior Court	2019 CA 007261 P(MPA)	Complaint filed 11/4/2019	Ms. Barry alleges she should be classified as a Grade 9-11 Program Analyst instead of a Parking Enforcement Officer
<b><i>McFarland v. DCHR/DCRA</i></b>	D.C. Superior Court	2017 CA 007722 P(MPA)	Closed - Remanded by court back to DCHR as of 9/17/2019; agency decision issued on or about 11/5/2019, satisfying court remand.	Mr. McFarland sought to overturn DCHR's classification of his position as a Grade 9 in a lawsuit filed in 2017



<b>McFarland v. DCHR/DCRA</b>	D.C. Superior Court	2019 CA 008298 P(MPA)	Complaint filed 12/18/2019 but DCHR has not yet been served.	Mr. McFarland filed a second lawsuit to challenge the agency's decision on remand from 2017 CA 007722 P(MPA)
<b>Shafiei v. District of Columbia Government</b>	D.C. Superior Court	2019 SC2 001572	Closed - Case dismissed without prejudice on 12/19/19	Mr. Shafiei claimed that he was entitled to 401(a) retirement system contributions.
<b>Lucas v. District of Columbia, et. al.</b>	U.S. D.D.C.	1:13-cv-00143-JDB	Pending	Mr. Lucas alleges he is owed additional retirement benefits.
<b>Barnes v. District of Columbia</b>	D.C. Superior Court	2018 CA 006306 B	Closed – parties voluntarily agreed to dismissal with prejudice on 7/25/19	Mr. Barnes brought a putative class action against the District on behalf of himself and all similarly situated DPW employees, alleging violation of the Fair Labor Standards Act (FLSA) and DC Minimum Wage Act (MWA) around hazard pay rate (premium rate of pay).

63. Please list all **settlements** entered into by DCHR or by the District on behalf of the agency in FY2017, FY2018, FY2019, or FY2020, to date, including those authorized by D.C. Code § 2-402(a)(3), which requires the Mayor to pay certain settlements from agency operating budgets if the settlement is less than \$10,000 or results from an incident or allegation within two years of the filing date.

For each settlement, provide:

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

**Answer: Please see the below table.**

Parties' name	Date claim filed	Date of settlement	Amount of settlement and time period of payment	Non-financial terms	Court, docket # and description	If unrelated to litigation, underlying dispute
<b>Mills-Pherigo vs. DCHR</b>	12/14/2016	12/8/ 2017	\$75,000.00; payment within 30 business days of employee's delivery of W-9 form and withdrawal notice	Replace reference to termination with voluntary resignation in employee's	Office of Employee Appeals, OEA Matter No. J-0018-17; Employee challenged her	

				records; neutral reference.	termination from DCHR due to her failure to satisfactorily complete a Performance Improvement Plan and due to a neglect of duty charge.	
<b>T. Miller</b>	11/2017	12/11/2017	\$38,447	Allow employee to resign, remove all info about employee's pending termination from employee records, and provide neutral reference.		While facing a pending termination, employee filed complaint with an EEO counselor alleging discrimination based on race, age, personal appearance, family responsibilities, disability and retaliation.