

Agency Strategic Plan

Department of Employment Dispute Resolution (962)

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Mission and Vision

Mission Statement

The Department of Employment Dispute Resolution's mission is to provide state agencies and their employees with a broad range of workplace dispute resolution tools, including the grievance procedure and mediation, that assure solutions consistent with the Commonwealth's human resource policies and related law.

Vision Statement

EDR will

- foster through its services a positive, productive workplace, where conflict is addressed constructively, at the lowest level and earliest opportunity, allowing employees to focus on service excellence
- be known as a valued and impartial resource by employees and agencies throughout the state, who are informed of EDR's services and comfortable accessing them

Agency Values

- Equity
We are committed to providing state agencies and employees with workplace dispute resolution services that are impartial, fair, and consistent with law and policy.
- Integrity
We communicate openly and honestly with those we serve, act in good faith and with authenticity in our professional relationships, and endeavor to model best practices in workplace dispute resolution within our own agency.
- Stewardship
We hold ourselves accountable for managing public resources responsibly and efficiently.

Executive Progress Report

Service Performance and Productivity

- *Summary of current service performance*

Since July 2002, EDR has measured its performance in three of its core statutory services: the state employee grievance procedure, workplace mediation, and conflict resolution training. These measures track timeliness, customer satisfaction, and/or quality indicators associated with the three core services, and show overall high customer satisfaction, quality, and timeliness. This is especially significant given the substantial reduction in staffing levels since 2002, which is discussed in the following Productivity section.

EDR's performance results for FY2007:

Grievance Hearings:

GOAL: On average, hearing decisions by full-time hearing officers are issued within 40 calendar days or less from assignment.

RESULT: 43.1 days

Grievance Rulings:

GOAL: On average, administrative rulings are investigated, drafted, approved and issued within 60 calendar days or less of EDR's receipt of the ruling request.

RESULT: 44.2 days

Workplace Mediation:

GOAL: On average, EDR screens and schedules two-party mediations within 17 calendar days or less of the participants' request.

RESULT: 16.5 days

GOAL: At least 85% of two-party mediation participants agree (4) or strongly agree (5) that EDR's mediation services are objective and of high quality, using a 5-point scale.

RESULT: 95%

Workplace Conflict Management & Resolution Training:

GOAL: At least 90% of training attendees agree (4) or strongly agree (5) that they are satisfied with the quality of EDR's

training services, using a 5-point scale.

RESULT: 98%

GOAL: EDR will increase the number of state employees trained in workplace conflict management and resolution by 10% (from 2186 to 2405).

RESULT: 2500

- *Summary of current productivity*

As of July 1, 2007, EDR employed 10 full-time equivalent (FTE) salaried employees, two part-time wage employees and one temporary worker. This represents a 37.5% reduction in total full-time salaried staff and a 42.9% reduction in direct service consultant staff from 2001 levels. Despite these staffing cuts, EDR continues to deliver timely, high-quality services to constituents, as reflected in the Service Performance section of this plan.

However, as EDR boosts its efforts to better inform state employees of EDR dispute resolution programs, maintaining a high level of service will become increasingly difficult without additional funding. As of January 31, 2007, there were 97,430 full-time equivalent (FTE) salaried state employees in the executive branch, resulting in a ratio of 1 full-time salaried EDR employee to every 9,743 FTE salaried state employees. EDR's general funding in FY2001 was \$1,187,530, but as a result of budget reductions over the years, general funding for FY2008 is \$1,075,770, a 9.4% reduction from FY2001. EDR's FY2008 total base budget of \$1,349,122, including general and special funds, represents less than one half of one percent of the state's current annual salary commitment in classified service.

Initiatives, Rankings and Customer Trends

- *Summary of Major Initiatives and Related Progress*

EDR is exploring and developing additional early intervention, communications and informational tools to assist employees and agency management in addressing workplace conflict at the earliest opportunity, with an emphasis on prevention:

- **Training:** EDR is working to expand the reach of its training on the prevention, management and resolution of workplace conflict, to serve more employees, by (i) partnering with agencies to develop specific training programs for their employees in conflict management, the effective use of discipline, and the grievance procedure; (ii) using web-based learning management systems, such as the Commonwealth's Knowledge Center at the Department of Human Resource Management and VDOT University, to provide convenient online training courses for state employees; (iii) establishing a "Learning Center" on its web site to provide useful information about EDR's training program to state employees; and (iv) partnering with the Department of Human Resource Management to provide training sources for state managers and supervisors on topics such as Collaborative Leadership, Negotiation Skills, and Dealing with Workplace Bullying.

- **Alternative Dispute Resolution (ADR):** EDR is researching and beginning to test the use of technologies, such as video-conferencing, to bring mediating parties together to resolve disputes in the most cost effective manner. EDR is also partnering with Virginia Tech's Office of Equity and Inclusion to expand workplace mediation services to state employees in the Commonwealth's southwestern region. By way of this partnership, Virginia Tech mediators will provide mediation services, through EDR's statewide mediation program, to state employees working within 120 miles of Blacksburg.

- **Communications:** To help ensure that state employees and agency management know about EDR's services, and are comfortable using them, EDR has developed communications materials -- such as printed materials, a table top exhibit, and downloadable information posters -- to inform constituents of its purpose and services. EDR is also continuing its practice of seeking input from stakeholders on service needs, service delivery, and process enhancements.

- **Data & Analysis:** EDR is developing and testing an upgraded web-based grievance activity reporting system. This web application will allow state agencies to enter grievance activity data via the internet and generate agency-specific reports. The new grievance activity reporting system will be housed on server space at the Department of Human Resource Management. EDR's internal Access database stores information on rulings, hearings, AdviceLine consultations, mediations, and trainings, and allows for comparative reports and analyses across these functional lines.

- *Summary of Virginia's Ranking*

EDR has researched the issue, but is unaware of any national rankings for service performance and productivity among workplace conflict management, dispute resolution, and/or employment relations management agencies or organizations. We note, however, that in 2008, the Commonwealth's human resources management system, for which EDR serves a significant role, was the highest ranked in the nation, receiving the only "A" rating in a study conducted by Governing magazine's Government Performance Project, a study for which EDR contributed extensive data on the Commonwealth's employee grievance process at the Project's request.

- *Summary of Customer Trends and Coverage*

State government agencies and their employees constitute EDR's customer base.

COVERAGE:

All state employees, regardless of classification or governmental branch, may use EDR's AdviceLine, training, and mediation services; however, EDR's primary customers are within the state's executive branch. Further, with limited exceptions, only classified employees in the executive branch of state government may use the grievance procedure, once they have completed their probationary period. As of January 31, 2007, there were 97,430 full-time equivalent (FTE) salaried state employees in the executive branch. Of these, 72,591 were classified employees, covered by the Virginia Personnel Act. EDR readily acknowledges that not all state employees will require EDR's dispute resolution services in any given year. However, EDR provided direct conflict management and dispute resolution services to many agencies and employees in FY 2007. For example, EDR provided 1,935 consulting services to employees from 73 agencies; mediation services to 64 employees from 18 agencies; 2,500 training services to employees from 33 agencies; and numerous grievance procedure services including the issuance of 256 administrative rulings and adjudication of 368 disputed issues at 235 grievance hearings. In addition, EDR provided direct services to employees in numerous other state agencies outside the executive branch. Notwithstanding the breadth of services provided by EDR's relatively small staff, EDR believes that the number of employees served indicates that not all state employees are aware of EDR services.

KEY TRENDS:

Aging Workforce:

The overriding trend for EDR's customer base is that it is aging. The average age of classified employees in May 1991 was 41. By January 1, 2007, the average age was 45.8, and only 5% of classified employees were 25 years old or younger. The total number of classified employees 60 years old or older increased from 4,108 in 1991 to 5,909 in 2004, an increase of 43.8% in thirteen years, or 2.8% annually, and to 6300 in 2007, an increase of 6.6% over two and a half years, or 2.6% annually. The number of employees 65 years old or older increased from 735 in 1991 to 1,355 in 2004 (84.4% in 13 years, 4.8% annually) and to 1462 in 2007 (7.9% in 2.5 years, 3.1% annually). The number 70 years old or older increased from 132 in 1991 to 265 in 2004 (100.8% total, 5.5% annually) to 325 in 2007 (22.6% total, 8.5% per year). It is likely that increases in the number of employees in the older age groups will continue as the general health of older workers continues to improve and the Commonwealth continues to need their talents. However, along with rising age, EDR's customer base could also be expected to mirror the rising incidence of disability that appears within the general public as individuals age. As the average age of the state's workforce increases, one might expect that age and disability related issues may become more prevalent among the issues addressed through EDR's workplace dispute resolution services.

As explained in EDR's 2006 Impact of Aging Populations report, found in full at:

[http://leg2.state.va.us/dls/h&sdocs.nsf/4d54200d7e28716385256ec1004f3130/1ef56ea43b358514852571dc0053f6aa?](http://leg2.state.va.us/dls/h&sdocs.nsf/4d54200d7e28716385256ec1004f3130/1ef56ea43b358514852571dc0053f6aa?OpenDocument)

OpenDocument, while EDR services are not specifically tailored for seniors, older state employees are nevertheless urged to avail themselves of EDR's dispute resolution services. EDR offers a grievance procedure to most non-probationary classified employees, and a toll-free AdviceLine, training classes, and mediation services to all state workers. These services have been successfully used by older employees to address age-related workplace conflicts. Given the increase in average age of state workers and their tendency to postpone retirement, EDR anticipates that demand will increase for EDR-administered programs to address age-related work issues, such as age or disability discrimination. EDR will continue to promote awareness of EDR services among all state employees, including senior employees.

Disability:

While the 2007 State Workplace Planning Report does not provide statistics on disability, the U.S. Census Report: Americans with Disabilities: 2002, reports that 18.1 percent of the 282.8 million people in the civilian noninstitutionalized population reported having a disability. Among the 51.2 million people with a disability, 32.5 million (11.5 percent of all people) had a severe disability. In addition, statistics show that older people were more likely than younger people to report having a disability. The disability rate for each age group was successively higher than for the next younger group, resulting in the highest percentage of people with disabilities among people 80 and older (71.7 percent). With a disability rate of 19.4 percent, people 45 to 54 years old were more than twice as likely to have a disability as people under 15 (8.4 percent) and half as likely as people 65 to 69 years old (38.4 percent). It would appear reasonable to assume that the Commonwealth's workforce will experience rates of disability generally similar to those found in the general population.

New employment flexibilities and relationships:

The traditional "stovepipe" hierarchy that once characterized the state agency workplace is changing, as more interagency and public-private partnerships are created to increase governmental efficiencies. In addition, the workplace at state institutions of higher education have and will continue to change as a result of increased autonomy and flexibility granted by relatively new legislation. Further, other statutory and policy changes are paving the way for

more telecommuting and part-time classified work arrangements. As a result, the traditional management chains of command and exclusively on-site work stations, through which employment terms, conditions and actions have been effectuated in the past, may be altered over time, to varying degrees, within significant sectors of the state workforce. EDR expects that as such changes take place, there will be new issues and opportunities to address in preventing, managing, and resolving workplace disputes.

Employment:

According to the 2007 State Workplace Planning Report, between December 31, 2001 and June 30, 2004, total FTE employment dropped from 115,361 to 112,455, or 2.52%. Among all branches of state government, the number of salaried employees decreased 2.7%, to 97,614; temporary employees decreased by 1.3%, to 14,841. The number of salaried employees in the Executive Branch decreased from 95,691 to 92,844 during that same period, a reduction of 2,847, or 3.0%. Employment declined in all but two Cabinet Secretarial areas. However, between June 30, 2004, and January 31, 2007, total FTE employment increased by 4.86% (from 112,455 to 117,919) with increases observed in both salaried, 4.95%, and temporary, 4.24%, FTE employment.

Gender:

There has been some modest change in the gender distribution of the classified workforce between May 1991 and January 2007. In May 1991, 52.6% of the employees were female and 47.4% were male. By January 1, 2007, the percentage of female employees increased slightly to 54.1% and the percentage of male employees decreased to 45.9%.

Race:

The distribution of classified employees by race has changed modestly since May 1991 with the percentage of Caucasian workers slightly declining and the percentages of all minority groups increasing. In 1991, 70.3% of the employees were Caucasian, 28.0% were African American, 0.6% Hispanic, 0.9% Asian, and 0.2% Native American. By January 1, 2007, the percentage of Caucasian employees had dropped to 67.2%, while the percentage of African American increased to 29.3%, Hispanic to 1.3%, Asian to 2.0%, and Native American to 0.3%.

Skills:

Skill requirements for state jobs are increasing. There are only 52.3% as many Office Support Staff in 2004 as there were in 1991 (falling from 14,617 to 7,639) and only 44.0% as many Maintenance and Service Workers (dropping from 8,238 to 3,621). The greatest growth was in the Professional category, increasing from 15,971 to 20,346 (from 21.3% of the workforce to 28.5%). The Commonwealth recently initiated the Managing Virginia Program (MVP) which encourages all state supervisors and managers to receive comprehensive management and leadership training.

Laws:

Va. Code §§ 56-575.1 through -575.18, the Public-Private Education Facilities and Infrastructure Act of 2002, enables state agencies to develop innovative public-private partnerships through solicited and unsolicited proposals for projects for which a public need exists.

Va. Code § 2.2-2817.1 sets a goal of having not less than 25% of the eligible state government workforce participating in alternative work schedules by July 1, 2009. Also, by January 1, 2010, each state agency except the Department of State Police, shall have a goal of not less than 20% of its eligible workforce telecommuting (at least one day per week). This Code section, coupled with § 2.2-203.1, authorizes agency heads to designate positions appropriate for telecommuting.

Future Direction, Expectations, and Priorities

- *Summary of Future Direction and Expectations*

Continue as Safety Net for Equitable Employment Actions: Through its neutral, independent administration of the state employee grievance procedure, EDR will continue to ensure that merit and objectivity are the basis for employment actions, and that the responsibilities and rights of state employees and agency management are observed and affirmed.

Lower Costs of Training and Mediation Services through Technology: EDR expects to decrease training costs by increasing its offerings of online training courses in the grievance procedure and workplace conflict management. In addition, EDR will need to increase its use of technology to bring mediating parties together to resolve disputes in the most cost effective manner.

Reach Customer Base Through Better Communications: Although no empirical data exists, repeated anecdotal data and experience suggests that large segments of the state workforce -- employees and agency management -- are unaware of EDR and its services. To help ensure that state employees and agency management know about EDR and its services, EDR will seek to engage in more outreach with its customer base through printed communications, enhancements to its web site, and online training opportunities. EDR will continue to seek periodic feedback from its

user groups so that its services will continue to meet the needs of the state's workforce.

Analyze Trends with Better Data: Enhancing the availability of reports from EDR's grievance activity database should lead to more comprehensive analyses of employment dispute resolution trends, as well as the impact of early intervention approaches, such as mediation and training, on workplace conflict.

- *Summary of Potential Impediments to Achievement*

Severe staffing and funding cuts limit EDR's ability to step aside from its daily service delivery responsibilities in order to comprehensively review, pilot, and implement innovations.

Many state employees are unaware of EDR and its services, and even if they are aware, they are reluctant to use these services, particularly the grievance procedure and mediation, due to fear of reprisal or negative perception.

State supervisors and managers are often untrained in conflict competencies and often uninformed about EDR's neutral role in resolving employment disputes. In addition, managers often lack an understanding of the benefit and effectiveness of early dispute resolution processes in resolving disputes and avoiding potential litigation.

EDR lacks the funding for ongoing staff or contractor IT expertise to meet the security standards established by VITA, or to develop and maintain its services databases, functions not provided by any centralized service bureau of the Commonwealth.

Service Area List

Service Number	Title
962 704 16	Employee Grievance, Mediation, Training, and Consultation Services

Agency Background Information

Statutory Authority

EDR's enabling legislation is set forth in Title 2.2, Chapter 10 of the Code of Virginia (Va. Code §§ 2.2-1000 and 1001). These provisions mandate EDR to:

- Provide a comprehensive program of employee relations management that includes alternative processes for resolving employment disputes
- Establish and administer the state employee grievance procedure
- Establish and administer a statewide workplace mediation program
- Provide a toll-free telephone number to provide information and guidance to state employees on workplace conflict resolution and the services of the Department
- Provide training for agency human resources and supervisory personnel
- Publish hearing officer decisions and Departmental rulings in grievances
- Investigate allegations of retaliation
- Collect data on the use of the grievance procedure and the effectiveness of employee relations management in state agencies
- Make recommendations to the Governor and the General Assembly to improve the grievance procedure and employee relations management.

The State Grievance Procedure is established in Title 2.2, Chapter 30 of the Code of Virginia (Va. Code §§ 2.2-3000 through 2.2-3008). These provisions:

- Require state agencies to
 - train supervisory personnel in the grievance procedure, personnel policies and conflict resolution, and to evaluate supervisors on their effectiveness in employee relations management
 - promote EDR's services and familiarize employees with their grievance rights
 - cooperate with EDR retaliation investigations
 - participate in the mediation program
 (Va. Code § 2.2-3000(B))
- Require EDR to monitor the above agency activities with respect to the above duties
- (Va. Code § 2.2-3000(C))
- Establish state employee coverage and exemptions under the grievance procedure
- (Va. Code §§ 2.2-3001 and 3002)
- Establish broad parameters for the grievance procedure's management levels and independent hearings, including relief that may be granted by a grievance hearing officer
- (Va. Code §§ 2.2-3003, 3004, and 3005)
- Establish administrative and judicial review of grievance hearing officer decisions

(Va. Code § 2.2-3006)

Customers

Customer Group	Customers served annually	Potential customers annually
Primarily executive branch agencies & institutions (estimated number served only - some underreporting may exist due to ability to remain anonymous when calling the AdviceLine)	76	97
Primarily executive branch employees (estimated number served only)	4,800	97,430

Anticipated Changes To Agency Customer Base

State government agencies and their employees constitute EDR’s customer base. Key trends affecting this base include:

Aging Workforce: The overriding trend for this customer base is that it is aging. (The average age of classified employees in May 1991 was 41. By January 1, 2007, the average age was 45.8, and only 5% of classified employees were 25 years old or younger.) Along with rising age, EDR’s customer base could also be expected to mirror the rising incidence of disability that appears within the general public as individuals age. Consequently, as the average age of the state’s workforce increases, one might expect that age and disability related issues may become more prevalent among the issues addressed through EDR’s workplace dispute resolution services.

New employment flexibilities and relationships: The traditional “stovepipe” hierarchy that once characterized the state agency workplace is changing, as more interagency and public-private partnerships are created to increase governmental efficiencies. In addition, the workplace at state institutions of higher education will be changing as a result of increased autonomy and flexibility granted by new legislation. Further, other statutory and policy changes are paving the way for more telecommuting and part-time classified work arrangements. As a result, the traditional management chains of command, and exclusively on-site work stations, through which employment terms, conditions and actions have been effectuated in the past, may be altered overtime, to varying degrees, within significant sectors of the state workforce. EDR expects that as such changes take place, there will be new issues and opportunities to address in preventing, managing, and resolving workplace disputes.

Partners

Partner	Description
Department of Human Resource Management (DHRM)	<p>EDR provides employment dispute resolution courses that are included in the Core Curriculum for DHRM’s Managing Virginia Program (MVP), a comprehensive mandatory management and leadership training program for all state supervisors and managers. EDR has collaborated with DHRM on the development of on-line versions of EDR dispute resolution courses for inclusion in the Commonwealth’s Learning Management System (LMS), a central storehouse of training data which allows Commonwealth employees to engage in learning via the internet. EDR’s Training Coordinator serves on DHRM’s Virginia Training and Development Advisory Council, which provides recommendations regarding the direction of future training for Commonwealth employees. EDR has worked with DHRM in the development of a comprehensive data collection system that will allow the Commonwealth to monitor various aspects of employee relations activities. EDR presents dispute resolution seminars at annual DHRM-hosted Human Resource Leadership Conferences. EDR employees have collaborated with representatives from DHRM and other state employees in the development and revision of state policies.</p> <p>EDR refers interested state employees to the University of Virginia School of Law, which provides</p>

University of Virginia School of Law	eligible employees with law student advocates to assist them in presenting their cases at grievance hearings.
Virginia Council on Human Resources	The EDR Director serves as an ex-officio member of the Virginia Council for Human Resources, an advisory council to the Governor, the Department of Human Resource Management, and EDR on all personnel administration matters, including but not limited to employee relations management and communications.
Virginia Interagency Dispute Resolution Advisory Council	The EDR Director serves as an ex-officio member of the Virginia Interagency Dispute Resolution Advisory Council, which provides guidance and training to agencies in the use of collaborative practices and ADR, and reports to the Governor and the General Assembly on the use of ADR in state agencies. EDR staff members have also assisted in the organization of the activities of the Council.
Virginia Tech	EDR is partnering with Virginia Tech's Office of Equity and Inclusion to expand workplace mediation services to state employees in the Commonwealth's southwestern region. By way of this partnership, Virginia Tech mediators will provide mediation services, through EDR's statewide mediation program, to state employees working within 120 miles of Blacksburg.

Products and Services

- *Description of the Agency's Products and/or Services:*

Grievance Procedure: EDR is the neutral administrator of the Commonwealth's grievance procedure, a process that allows state employees to bring their workplace concerns to the attention of upper management, and in some cases, to present their concerns to an independent hearing officer.

Mediation: EDR administers the Commonwealth's workplace mediation program, a voluntary, confidential process through which neutral third parties (mediators) assist employees in conflict with exploring their differences and developing their own solutions to workplace concerns. Mediation occurs between two or more parties, and can be provided to groups of employees.

Consulting: EDR provides the toll-free AdviceLine, through which all Commonwealth employees, including agency managers, may seek confidential guidance on preventing and resolving workplace conflict, as well as information on employment rights and responsibilities.

Training: EDR offers a variety of training courses on subjects such as workplace conflict management, mediation, employee discipline, and the grievance procedure.

Employee Relations Data Collection: EDR collects a comprehensive body of employee relations data focusing on workplace dispute prevention and resolution activities within the executive branch.

- *Factors Impacting Agency Products and/or Services:*

EDR's staff (as of July 1, 2007) of 10 full-time salaried employees, two part-time wage employees and one temporary employee is relatively small compared to the total number of state employees. As of January 31, 2007, there were 97,430 full-time equivalent (FTE) salaried state employees in the executive branch, resulting in a ratio of 1 full-time salaried EDR employee to every 9,743 FTE salaried state employees.

Following the severe staffing and funding cuts in 2002, EDR's ability to develop new services and provide outreach programs has been limited. Likewise, EDR's opportunities to step aside from daily service delivery responsibilities to review and implement innovations has been hampered.

Many state employees are unaware of EDR and its services, and even if aware, they are reluctant to use these services due to fear of reprisal or negative perception.

State supervisors and managers are often untrained in conflict competencies and often uninformed about EDR’s neutral role in resolving employment disputes. In addition, managers often lack an understanding of the benefit and effectiveness of early dispute resolution processes in resolving disputes and avoiding potential litigation.

Assuming EDR were able to raise awareness of its services among employees, EDR’s ability to provide direct services to a significantly larger number of employees is questionable, given its low staffing levels. Restoration of funding for at least some of EDR’s FTEs lost over the past decade would help bridge this gap. Just as important, it will be critical for EDR to continue to take a leadership role in partnering with other state agency training and alternative dispute resolution (ADR) resources, as well as with other public and private sector organizations outside the state, in seeking to develop a range of conflict prevention services for the state’s workforce.

- *Anticipated Changes in Products or Services:*

EDR anticipates providing employees with more opportunities for learning and for developing workplace conflict management skills through the use of online courses in addition to instructor-led courses.

Finance

- *Financial Overview:*

EDR’s funding comes from general funds and special funds, the latter of which are generated primarily by fees paid by state agency parties to grievance hearings.

- *Financial Breakdown:*

	FY 2009		FY 2010	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$1,075,770	\$273,352	\$916,182	\$299,969
Change To Base	\$30,871	\$26,617	\$0	\$0
Agency Total	\$1,106,641	\$299,969	\$916,182	\$299,969

This financial summary is computed from information entered in the service area plans.

Human Resources

- *Overview*

As of July 1, 2007, the Department of Employment Dispute Resolution had an authorized FTE level of 18 employees (12.5 generally funded and 5.5 specially funded), but employed only 10 full-time equivalent (FTE) salaried employees, two part-time wage employees and one temporary worker. Of EDR’s 10 full-time employees, 8, including the Director, are generally funded, and the remaining two are specially funded. EDR’s two part-time P-14 employees are generally funded, as was its one temporary worker, whose work at EDR ended in late July, 2007. EDR’s office is located in Richmond.

- *Human Resource Levels*

Effective Date	7/1/2007	
Total Authorized Position level	18	
Vacant Positions	-8	
Current Employment Level	10.0	
Non-Classified (Filled)	1	<i>breakout of Current Employment Level</i>
Full-Time Classified (Filled)	9	
Part-Time Classified (Filled)	0	
Faculty (Filled)	0	
Wage	2	
Contract Employees	1	
Total Human Resource Level	13.0	<i>= Current Employment Level + Wage and Contract Employees</i>

- *Factors Impacting HR*

Retention of highly competent staff: The agency must have funds available to recruit and retain a

qualified staff. In addition, the agency must have funds to maintain the competencies of its current staff and to provide them with financial incentives to remain at the agency. For example, EDR wants to attract and retain experienced attorneys, with the knowledge, skills, and abilities to render thorough, well-reasoned rulings and conduct grievance hearings and issue decisions in a timely manner. Citing to September 2006 data, the DHRM Director reported in her 2007 State Workforce Planning Report that average state salaries for attorneys are 85.20% below the mean for private industry, which Watson-Wyatt places at \$93,500.

Steady demand for services with fewer staff: In FY2003, due to budget reductions, three positions were eliminated: two Consultants (Human Resource Analyst II, Position Nos. 00009 and 00011) and one Deputy Director (General Administration Manager III, Position No. 00013). The 2006 General Assembly allocated general funding for, and transferred from a vacant specially funded position, a 0.5 FTE. EDR nevertheless remains a much smaller agency now than in FY2002. Between FY2001 and FY2007, filled general fund, salaried FTEs declined about 17% (from 12 to 10 positions), and the general fund base budget declined about 9% (from \$1,187,530 to \$1,075,770). All of EDR's 10 full-time salaried positions (generally and specially funded) are key positions as of July 1, 2007, thus creating challenges in planning for any kind of absences (long term illnesses and disabilities), vacancies and retirements.

Offering ongoing specialized training: EDR will have to maintain its commitment to offering specialized training to keep its staff proficient in their respective fields.

Subject matter expertise in specialized operational areas: EDR needs funding to hire temporary employees or contractors with subject matter expertise in a number of specialized fields such as IT security, disaster recovery, agency risk management and internal controls, so that it can continue to meet new state standards in these areas.

- **Anticipated HR Changes**

Like all agencies, EDR must be able to change focus and strategies every four years as a result of changes in Administration, and potentially each year or even more frequently with any new legislation, state budget issues, and/or comprehensive state operational enhancement initiatives, all of which have significant impact on EDR's fiscal resources, staffing resources, and services delivery.

Information Technology

- **Current Operational IT Investments:**

IT Infrastructure: The Virginia Information Technologies Agency (VITA), in partnership with Northrop Grumman (NG), is EDR's Information Technology Services Provider. EDR's IT inventory has been transferred to the VITA/NG partnership, and EDR pays monthly service fees to the VITA/NG partnership for the provision of comprehensive IT infrastructure services, including a server backup and restoration process.

The partnership owns and manages EDR's laptop computers and virtual server. The partnership also provides EDR with e-mail services. EDR's server was virtualized in March of 2009 as part of the transformation process and is located at the Commonwealth Enterprise Solutions Center (CESC). EDR is considered fully transformed by the VITA/NG partnership.

Applications Software: EDR is in the process of developing and testing a new, upgraded web-based grievance activity reporting system. This web application will allow state agencies to enter grievance data via the internet and generate agency-specific reports. The new grievance activity reporting system will be housed on server space at the Department of Human Resource Management (DHRM). EDR also has an internal Access database containing direct services information on EDR hearings, administrative rulings, AdviceLine consultations, mediations and trainings. EDR's internal Access database also generates reports.

IT Security: Now that EDR's server has been virtualized at CESC, the VITA/NG partnership has the responsibility to safeguard it. EDR has implemented logical controls so that employees can only access folders and files to which they have rights. EDR's IT security meets the established security standards. It should be noted that in 2009 EDR is due for a new security audit. EDR will start making plans in the fall of 2009 for a security audit.

Web site: EDR maintains a website which may be accessed at www.edr.virginia.gov. The EDR website houses information on EDR services, downloadable forms, and contact information. In addition, the website publishes all EDR hearing decisions and administrative rulings in a searchable format.

Telecommunications: The VITA/NG partnership provides EDR with telecommunications services. EDR continues to increase the efficiency of service delivery through enhanced telecommunications features.

- **Factors Impacting the Current IT:**

As a small agency (nine full-time salaried staff as of June 30, 2009), EDR does not have IT personnel, apart from a

wage database programmer hired to develop and maintain its direct service applications databases. With the exception of its wage applications programmer, EDR lacks general and specialized in-house IT expertise or the budget to fund such expertise in-house. The agency therefore must be able to rely on VITA/NG, its Information Technology Services Provider, to meet its overall IT needs.

As with many state agencies, EDR’s IT infrastructure service fees more than doubled during FY2007 as a result of across-the-board increases by VITA/NG fees for standard IT services. While some costs have since significantly decreased, others, such as disaster recovery and data storage, are anticipated to rise. In addition, VITA/NG requirements are placing additional and significant time demands on EDR’s staff. EDR, like most agencies in this time of budget reductions and down-sizing, does not have the resources to retrain and divert current staff to take on additional IT-related roles.

General applications software services are “out-of-scope” for VITA/NG and therefore not provided. Thus, EDR has relied on temporary, part-time wage employees and the Department of Human Resource Management (DHRM) IT staff, as available, to assist with its Access and web-based systems. EDR is currently developing and testing a new web-based grievance activity reporting system.

● *Proposed IT Solutions:*

EDR, in partnership with VITA/NG, has enhanced its IT infrastructure and software applications processes and procedures in order to meet established security standards. EDR will continue to work with VITA/NG’s Small Agency Council members to determine how best to meet and maintain established security standards. Funding resources will need to be identified for this endeavor.

EDR is upgrading its web-based grievance activity reporting system so that relevant disciplinary and demographic information will be captured and more useful reports can be generated on grievance-related activity across all state agencies, in an efficient, sustainable manner.

EDR will continue to seek ways to enhance its website to better serve constituents. Goals are increased awareness of EDR services and improved website navigation and search features. EDR has been working with Virginia Interactive toward this end, but will need adequate funding to meet these goals.

● *Current IT Services:*

Estimated Ongoing Operations and Maintenance Costs for Existing IT Investments

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Projected Service Fees	\$34,798	\$2,342	\$35,320	\$2,377
Changes (+/-) to VITA Infrastructure	\$0	\$0	\$0	\$0
Estimated VITA Infrastructure	\$34,798	\$2,342	\$35,320	\$2,377
Specialized Infrastructure	\$0	\$0	\$0	\$0
Agency IT Staff	\$0	\$0	\$0	\$0
Non-agency IT Staff	\$0	\$0	\$0	\$0
Other Application Costs	\$675	\$0	\$675	\$0
Agency IT Current Services	\$35,473	\$2,342	\$35,995	\$2,377

Comments:

[Nothing entered]

● *Proposed IT Investments*

Estimated Costs for Projects and New IT Investments

Cost - Year 1		Cost - Year 2	
General	Non-general	General	Non-general

	Fund	Fund	Fund	Fund
Major IT Projects	\$0	\$0	\$0	\$0
Non-major IT Projects	\$0	\$0	\$0	\$0
Agency-level IT Projects	\$0	\$0	\$0	\$0
Major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
Non-major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
Total Proposed IT Investments	\$0	\$0	\$0	\$0

● *Projected Total IT Budget*

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Current IT Services	\$35,473	\$2,342	\$35,995	\$2,377
Proposed IT Investments	\$0	\$0	\$0	\$0
Total	\$35,473	\$2,342	\$35,995	\$2,377

[Appendix A](#) - Agency's information technology investment detail maintained in VITA's ProSight system.

Capital

- *Current State of Capital Investments:*
EDR does not have a capital budget.
- *Factors Impacting Capital Investments:*
[Nothing entered]
- *Capital Investments Alignment:*
[Nothing entered]

Agency Goals

Goal 1

We will provide provide state agencies and their employees with a broad range of workplace dispute resolution tools that assure solutions consistent with the Commonwealth's human resources policies and related law.

Goal Summary and Alignment

Providing these services will help state employees and agencies create a positive, productive workplace, where conflict is addressed constructively, at the lowest level and earliest opportunity, allowing employees to focus on service excellence.

Goal Alignment to Statewide Goals

- Be recognized as the best-managed state in the nation.

Goal 2

We will strengthen the culture of preparedness across state agencies, their employees and customers.

Goal Summary and Alignment

This goal ensures compliance with federal and state regulations, policies and procedures for Commonwealth Preparedness, as well as guidelines promulgated by the Assistant to the Governor for Commonwealth Preparedness, in collaboration with the Governor's Cabinet, the Commonwealth Preparedness Working Group, the Department of Planning and Budget and the Council on Virginia's Future. The goal supports achievement of the Commonwealth's statewide goal of protecting the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

Goal Alignment to Statewide Goals

- Be recognized as the best-managed state in the nation.

Goal Objectives

- We will be prepared to act in the interest of the citizens of the Commonwealth and its infrastructure during emergency situations by actively planning and training both as an agency and as individuals.

Objective Strategies

- EDR's Emergency Coordination Officer will stay in regular communication with the Office of Commonwealth Preparedness, the Virginia Department of Emergency Management, and other Commonwealth Preparedness Working Group agencies.
- EDR will identify improvement opportunities by reviewing its annual agency preparedness assessment results and making changes that have the greatest impact at the lowest cost.

Link to State Strategy

- nothing linked

Objective Measures

- Agency Continuity of Operations Plan (COOP) Assessment Score

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 2007 COOP Assessment Results (60% out of 100)

Measure Target Value: Date:

Measure Target Description: Minimum of 75% by FY2009; minimum of 80% by FY2010

Data Source and Calculation: The COOP Assessment Review is a 24-component assessment tool that helps measure the viability of a COOP plan.

Goal 3

We will ensure that resources are used efficiently and programs are managed effectively, and in a manner consistent with applicable state and federal requirements.

Goal Summary and Alignment

This goal assures compliance with operational goals established within the Management Scorecard (as of FY2009, known as the Administrative Measures), and helps assure wise stewardship of the Commonwealth's resources.

Goal Alignment to Statewide Goals

- Be recognized as the best-managed state in the nation.

Goal Objectives

- To ensure that resources are used efficiently and programs are managed effectively, and in a manner consistent with applicable state and federal requirements.

Objective Strategies

- Continue to align the goals established by the Management Scorecard (as of FY2009, known as Administrative Measures) into the Employee Work Profiles of EDR's employees charged with leading the agency's efforts to meet those standards.

Link to State Strategy

- nothing linked

Objective Measures

- Percent of scorecard measure categories marked as "meets expectations" for the agency

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: EDR's weighted average FY2007 score is 79% (Q1&2 at 66.7%, Q3 at 100%, and Q4 at 83.33%).

Measure Target Value: Date:

Measure Target Description: 100% weighted average annual score by FY2010

Data Source and Calculation: The Management Scorecard grades agencies on six criteria. Take the number of cases where your agency scored "Meets Expectations" and divide by six.

Service Area Strategic Plan

Department of Employment Dispute Resolution (962)

3/11/2014 11:41 am

Biennium: 2008-10 ▼

Service Area 1 of 1

Employee Grievance, Mediation, Training, and Consultation Services (962 704 16)

Description

EDR implements the Commonwealth's employment dispute resolution statutes. Services include:

- administration of the state employee grievance procedure
- administration of the statewide workplace mediation program
- informing employees and agency management of workplace rights and responsibilities, and available options for preventing, managing and resolving workplace conflict, through a toll-free phone service and other outreach activities
- training on workplace conflict management, mediation, employee discipline and the use of the grievance procedure
- data collection and reporting on statewide workplace conflict management and resolution activities such as usage of the grievance procedure, mediation, problem-solving consultations, training, and other related services

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*
This service area directly aligns with EDR's mission to provide state agencies and their employees with a broad range of workplace dispute resolution tools that assure solutions consistent with the Commonwealth's human resources policies and related law.
- *Describe the Statutory Authority of this Service*
EDR's enabling legislation is set forth in Title 2.2, Chapter 10 of the Code of Virginia (Va. Code §§ 2.2-1000 and 1001). These provisions mandate EDR to:
 - Provide a comprehensive program of employee relations management that includes alternative processes for resolving employment disputes
 - Establish and administer the state employee grievance procedure
 - Establish and administer a statewide workplace mediation program
 - Provide a toll-free telephone number to provide information and guidance to state employees on workplace conflict resolution and the services of the Department
 - Provide training for agency human resources and supervisory personnel
 - Publish hearing officer decisions and Departmental rulings in grievances
 - Investigate allegations of retaliation
 - Collect data on the use of the grievance procedure and the effectiveness of employee relations management in state agencies
 - Make recommendations to the Governor and the General Assembly to improve the grievance procedure and employee relations management.

The State Grievance Procedure is established in Title 2.2, Chapter 30 of the Code of Virginia (Va. Code §§ 2.2-3000 through 2.2-3008). These provisions:

- Require state agencies to
 - train supervisory personnel in the grievance procedure, personnel policies and conflict resolution, and to evaluate supervisors on their effectiveness in employee relations management
 - promote EDR's services and familiarize employees with their grievance rights
 - cooperate with EDR retaliation investigations
 - participate in the mediation program (Va. Code § 2.2-3000(B))
- Require EDR to monitor the above agency activities with respect to the above duties (Va. Code § 2.2-3000(C))
- Establish state employee coverage and exemptions under the grievance procedure (Va. Code §§ 2.2-3001 and 3002)
- Establish broad parameters for the grievance procedure's management levels and independent hearings, including relief that may be granted by a grievance hearing officer

(Va. Code §§ 2.2-3003, 3004, and 3005)

•Establish administrative and judicial review of grievance hearing officer decisions

(Va. Code § 2.2-3006)

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Primarily executive branch agencies & institutions (estimated number served only - some underreporting may exist due to ability to remain anonymous when calling the AdviceLine)	Primarily executive branch agencies & Institutions (estimated number served only -- some underreporting may exist due to ability to remain anonymous when calling the AdviceLine)	76	97
Primarily executive branch employees (estimated number served only)	Primarily executive branch employees (estimated number served only)	4,800	97,430

Anticipated Changes To Agency Customer Base

State government agencies and their employees constitute EDR's customer base. Key trends affecting this base include:

Aging Workforce: The overriding trend for this customer base is that it is aging. The average age of classified employees in May 1991 was 41. By January 1, 2007, the average age was 45.8, and only 5% of classified employees were 25 years old or younger. Along with rising age, EDR's customer base could also be expected to mirror the rising incidence of disability that appears within the general public as individuals age. Consequently, as the average age of the state's workforce increases, one might expect that age and disability related issues may become more prevalent among the issues addressed through EDR's workplace dispute resolution services.

New employment flexibilities and relationships: The traditional "stovepipe" hierarchy that once characterized the state agency workplace is changing, as more interagency and public-private partnerships are created to increase governmental efficiencies. In addition, the workplace at state institutions of higher education will be changing as a result of increased autonomy and flexibility granted by new legislation. Further, other statutory and policy changes are paving the way for more telecommuting and part-time classified work arrangements. As a result, the traditional management chains of command, and exclusively on-site work stations, through which employment terms, conditions and actions have been effectuated in the past, may be altered overtime, to varying degrees, within significant sectors of the state workforce. EDR expects that as such changes take place, there will be new issues and opportunities to address in preventing, managing, and resolving workplace disputes.

Partners

Partner	Description
Department of Human Resource Management (DHRM)	EDR provides employment dispute resolution courses that are included in the Core Curriculum for DHRM's Managing Virginia Program (MVP), a comprehensive mandatory management and leadership training program for all state supervisors and managers. EDR has collaborated with DHRM on the development of on-line versions of EDR dispute resolution courses for inclusion in the Commonwealth's Learning Management System (LMS), a central storehouse of training data which allows Commonwealth employees to engage in learning via the internet. EDR's Training Coordinator serves on DHRM's Virginia Training and Development Advisory Council, which provides recommendations regarding the direction of future training for Commonwealth employees. EDR has worked with DHRM in the development of a comprehensive data collection system that will allow the Commonwealth to monitor various aspects of employee relations activities. EDR presents dispute resolution seminars at annual DHRM-hosted Human Resource Leadership Conferences. EDR employees have collaborated with representatives from DHRM and other state employees in the development and revision of state policies.
University of Virginia School of Law	EDR refers interested state employees to the University of Virginia School of Law, which provides eligible employees with law student advocates to assist them in presenting their cases at grievance hearings.
Virginia Council on Human Resources	The EDR Director serves as an ex-officio member of the Virginia Council for Human Resources, an advisory council to the Governor, the Department of Human Resource Management, and EDR on all personnel administration matters, including but not limited to employee

	relations management and communications.
Virginia Interagency Dispute Resolution Advisory Council	The EDR Director serves as a statutory member of the Virginia Interagency Dispute Resolution Advisory Council, which provides guidance and training to agencies in the use of collaborative practices and ADR, and reports to the Governor and the General Assembly on the use of ADR in state agencies. EDR staff members have also assisted in the organization of the activities of the Council.
Virginia Tech	EDR is partnering with Virginia Tech's Office of Equity and Inclusion to expand workplace mediation services to state employees in the Commonwealth's southwestern region. By way of this partnership, Virginia Tech mediators will provide mediation services, through EDR's statewide mediation program, to state employees working within 120 miles of Blacksburg.

Products and Services

- *Factors Impacting the Products and/or Services:*

EDR's staff (as of July 1, 2007) of 10 full-time salaried employees, two part-time wage employees and one temporary employee is relatively small compared to the total number of state employees. As of January 31, 2007, there were 97,430 full-time equivalent (FTE) salaried state employees in the executive branch, resulting in a ratio of 1 full-time salaried EDR employee to every 9,743 FTE salaried state employees.

Following the severe staffing and funding cuts in 2002, EDR's ability to develop new services and provide outreach programs has been limited. Likewise, EDR's opportunities to step aside from daily service delivery responsibilities to review and implement innovations has been hampered.

Many state employees are unaware of EDR and its services, and even if aware, they are reluctant to use these services due to fear of reprisal or negative perception.

State supervisors and managers are often untrained in conflict competencies and often uninformed about EDR's neutral role in resolving employment disputes. In addition, managers often lack an understanding of the benefit and effectiveness of early dispute resolution processes in resolving disputes and avoiding potential litigation.

Assuming EDR were able to raise awareness of its services among employees, EDR's ability to provide direct services to a significantly larger number of employees is questionable, given its low staffing levels. Restoration of funding for at least some of EDR's FTEs lost over the past decade would help bridge this gap. Just as important, it will be critical for EDR to continue to take a leadership role in partnering with other state agency training and alternative dispute resolution (ADR) resources, as well as with other public and private sector organizations outside the state, in seeking to develop a range of conflict prevention services for the state's workforce.

- *Anticipated Changes to the Products and/or Services*

EDR anticipates providing employees with more opportunities for learning and for developing workplace conflict management skills through the use of online courses in addition to instructor-led courses.

- *Listing of Products and/or Services*

- Grievance Procedure: EDR manages the Commonwealth's grievance procedure, a process that allows state employees to bring their workplace concerns to the attention of upper management, and in some cases, to present their concerns to an independent hearing officer.
- Mediation: EDR administers the Commonwealth's workplace mediation program, a voluntary, confidential process through which neutral third parties (mediators) assist employees in conflict with exploring their differences and developing their own solutions to workplace concerns. Mediation occurs between two or more parties, and can be provided to groups of employees.
- Training: EDR offers a variety of training courses on subjects such as conflict management, mediation, discipline, and the grievance procedure.
- Consulting: EDR provides the toll-free Adviceline, through which all Commonwealth employees, including agency managers, may seek confidential guidance on preventing and resolving workplace conflict, as well as information on employment rights and responsibilities.
- Employee Relations Data Collection: EDR collects a comprehensive body of employee relations data focusing on workplace dispute prevention and resolution activities within the executive branch.

Finance

- *Financial Overview*

EDR's funding comes from general funds (80%) and special funds (20%), the latter of which are generated primarily by fees paid by state agency parties to grievance hearings.

- *Financial Breakdown*

	FY 2009		FY 2010	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$1,075,770	\$273,352	\$916,182	\$299,969
Change To Base	\$30,871	\$26,617	\$0	\$0
Service Area Total	\$1,106,641	\$299,969	\$916,182	\$299,969

Human Resources

- *Human Resources Overview*

As of July 1, 2007, the Department of Employment Dispute Resolution had an authorized FTE level of 18 employees (12.5 generally funded and 5.5 specially funded), but employed only 10 full-time equivalent (FTE) salaried employees, two part-time wage employees and one temporary worker. Of EDR's 10 full-time employees, 8, including the Director, are generally funded, and the remaining two are specially funded. EDR's two part-time P-14 employees are generally funded, as was its one temporary worker, whose work at EDR ended in late July, 2007. EDR's office is located in Richmond.

- *Human Resource Levels*

Effective Date	7/1/2007	
Total Authorized Position level	18	
Vacant Positions	-8	
Current Employment Level	10.0	
Non-Classified (Filled)	1	<i>breakout of Current Employment Level</i>
Full-Time Classified (Filled)	9	
Part-Time Classified (Filled)	0	
Faculty (Filled)	0	
Wage	2	
Contract Employees	1	
Total Human Resource Level	13.0	<i>= Current Employment Level + Wage and Contract Employees</i>

- *Factors Impacting HR*

Retention of highly competent staff: The agency must have funds available to recruit and retain a qualified staff. In addition, the agency must have funds to maintain the competencies of its current staff and to provide them with financial incentives to remain at the agency. For example, EDR wants to attract and retain experienced attorneys, with the knowledge, skills, and abilities to render thorough, well-reasoned rulings and conduct grievance hearings and issue decisions in a timely manner. Citing to September 2006 data, the DHRM Director reported in her 2007 State Workforce Planning Report that average state salaries for attorneys are 85.20% below the mean for private industry, which Watson-Wyatt places at \$93,500.

Steady demand for services with fewer staff: In FY2003, due to budget reductions, three positions were eliminated: two Consultants (Human Resource Analyst II, Position Nos. 00009 and 00011) and one Deputy Director (General Administration Manager III, Position No. 00013). The 2006 General Assembly allocated general funding for, and transferred from a vacant specially fund position, a 0.5 FTE. EDR nevertheless remains a much smaller agency now than in FY2002. Between FY2001 and FY2007, filled general fund, salaried FTEs declined about 17% (from 12 to 10 positions), and the general fund base budget declined about 9% (from \$1,187,530 to \$1,075,770). All of EDR's 10 full-time salaried positions (generally and specially funded) are key positions as of July 1, 2007, thus creating challenges in planning for any kind of absences (long term illnesses and disabilities), vacancies

and retirements.

Offering ongoing specialized training: EDR will have to maintain its commitment to offering specialized training to keep its staff proficient in their respective fields.

Subject matter expertise in specialized operational areas: EDR needs funding to hire temporary employees or contractors with subject matter expertise in a number of specialized fields such as IT security, disaster recovery, agency risk management and internal controls, so that it can continue to meet new state standards in these areas.

- **Anticipated HR Changes**

Like all agencies, EDR must be able to change focus and strategies every four years as a result of changes in Administration, and potentially each year or even more frequently with any new legislation, state budget issues, and/or comprehensive state operational enhancement initiatives, all of which have significant impact on EDR's fiscal resources, staffing resources, and services delivery.

Service Area Objectives

- Advance the effectiveness of the state employee grievance procedure in resolving workplace disputes.

Objective Description

The state grievance statutes charge EDR with establishing and administering the state employee grievance procedure, through which nonprobationary classified employees may bring their employment concerns to upper levels of management, and in some cases, before an independent hearing officer. Va. Code §§ 2.2-1001(2); 2.2-3001(A). Importantly, the grievance procedure is to afford "an immediate and fair method for the resolution of employment disputes." Va. Code § 2.2-3000. Through its neutral, independent administration of the grievance process, EDR assures that merit and objectivity are the basis for employment actions, and that the rights and responsibilities of state employees and agency management are observed and affirmed. In accordance with statute, EDR consultants research, investigate and draft administrative rulings in pending grievances to determine issues such as party and hearing officer compliance with the process, an employee's right to access the grievance procedure, or whether an employee's grievance qualifies to be heard before an independent hearing officer. In addition, EDR hearing officers hold evidentiary hearings and issue written decisions on the merits of qualified employee grievances. If administrative rulings or hearing decisions are issued in an untimely manner, the grievance process and ultimate resolution of the dispute are unduly prolonged, resulting in inefficiencies and frustration for the parties, which in turn can affect the productivity and morale of the involved work unit. For those reasons, it is critical that EDR rulings and hearing decisions are issued in a timely manner.

Objective Strategies

- Assure adequate funding to attract and retain well qualified EDR hearing officers and rulings consultants, thus preventing disruptive turnover
- Continue to provide training opportunities in employment law and related issues for hearing officers and rulings consultants
- Continue to direct agencies to provide with their request for a hearing officer all the needed information for assignment of the case
- Immediately upon receiving a request for the appointment of a hearing officer, provide the parties in writing with basic information about the hearing process, including what steps they should consider taking right away to prepare for the hearing
- Assign part-time hearing officers as needed to supplement EDR's full-time hearing officer
- Currently, the primary job responsibility of EDR's consultants with employment law expertise is to investigate, research and draft rulings. EDR will maintain that strategy to continue the trend toward reduced turnaround times

Link to State Strategy

- nothing linked

Objective Measures

- Average number of calendar days from assignment to issuance of hearing officer decision following hearing.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 63.5 calendar day average for FY2009

Measure Target Description: 40 calendar day average or less for FY2009 and FY2010

Data Source and Calculation: For all hearing decisions issued by an EDR hearing officer during the fiscal year, calculate the average number of days between the assignment of the hearing officer to a case and the mail date of the resulting hearing decision. Exception: documented continuances granted due to events over which the parties have no control, such as serious illness or death, will not count toward the 40 day period. Source: EDR hearings database

- Average number of calendar days from receipt of ruling request to issuance of administrative ruling following investigation, research, and drafting.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 57.5 calendar day average for FY2009

Measure Target Value: Date:

Measure Target Description: 50 calendar day average or less for FY2009 and FY2010

Data Source and Calculation: For all rulings issued during the fiscal year, calculate the average number of days between EDR's receipt of the ruling request and the mail date of the ruling. Exception: documented events over which EDR has no control, such as a pending reconsideration request of the hearing officer, will not count toward the 50 day period. Source: EDR rulings database

- We will expand opportunities for state employees to develop knowledge and skills on the prevention and resolution of workplace conflict.

Objective Description

The grievance statutes mandate EDR to provide a comprehensive program of employee relations management, and specifically includes the requirement of training for state supervisory and human resources personnel in the prevention and resolution of employment disputes. Va. Code §§ 2.2-1001(8), (9) and 2.2-3000(B). Effective learning opportunities can develop and strengthen employee competencies in preventing and resolving workplace conflict, which in turn allows employees to focus on service excellence in their jobs. EDR's interactive training courses for state employees on conflict management, mediation, employee discipline and the grievance procedure have been overwhelmingly well received by those in attendance. Due to EDR's staffing constraints, however, only a small fraction of employees have received this training to date. EDR's focus continues to be to expand learning and development opportunities for state employees in the prevention and resolution of workplace conflict, so that more employees will become knowledgeable and skilled in those areas.

Objective Strategies

- Monitor number of agencies and employees trained online and by state agency in-house trainers, in addition to EDR instructor-led courses
- Continue to conduct evaluations on EDR instructor-led courses; design evaluative measures for new learning approaches and implement for continual improvement
- Enhance on-line courses for statutorily required subjects (e.g., workplace conflict management and the effective use of the grievance procedure)
- Use a variety of methods to communicate with executive branch agencies and their employees about EDR's services for the prevention and resolution of workplace conflict

Link to State Strategy

- nothing linked

Objective Measures

- Average cost per completed training session (to include workplace dispute resolution services overview, workplace conflict management best practices, and the grievance procedure)

Measure Class: Measure Frequency: Preferred Trend:

Frequency Comment: Although EDR reports this measure on a quarterly basis, our goal is to achieve this targeted decrease on an overall annual basis.

Measure Baseline Value: 16.41 Date: 6/30/2008

Measure Baseline Description: average cost per completed session provided from 7/1/2005 through 6/30/2008 (fiscal years 2006 through 2008)

Measure Target Value: 14.77 Date: 6/30/2010

Measure Target Description: average annual cost per completed training session for FY2010

Data Source and Calculation: Data Source: EDR's personnel and training records. Calculation: Divide input (labor cost of EDR's lead trainer/mediator that is devoted to training program) by output (the number of completed EDR training sessions provided by EDR instructors, state agency trainers, the COVA Knowledge Center, and any other new distance learning approaches).

- Percentage of state employees rating EDR instructor-led training as an overall 4 or 5 on a 5-point scale.

Measure Class: Other Measure Type: Outcome Measure Frequency: Annual Preferred Trend: Maintain

Measure Baseline Value: 98 Date: 6/30/2009

Measure Baseline Description: 98% satisfaction rating (overall 4 or 5) for FY2009

Measure Target Value: 95 Date: 6/30/2010

Measure Target Description: 95% or better satisfaction rating (overall 4 or 5) for FY2009 and for FY2010

Data Source and Calculation: Participants receive and complete an evaluation questionnaire after completing the session. The questionnaire rates various factors, using a 5-point scale for each, with 5 being the highest rating. The overall rating (either a 1, 2, 3, 4, or 5) for each questionnaire is calculated by averaging the ratings for the various factors and rounding up or down to the nearest whole number. The total number of questionnaires is then divided into the number of questionnaires with an overall rating of either 4 or 5 to derive the percentage. Source: EDR training evaluations and spreadsheets.

- Percentage increase of completed training sessions by state employees in workplace conflict management and resolution

Measure Class: Agency Key Measure Type: Outcome Measure Frequency: Quarterly Preferred Trend: Up

Measure Baseline Value: 2500 Date: 6/30/2007

Measure Baseline Description:

Measure Target Value: 2750 Date: 6/30/2010

Measure Target Description: at least 2750 (a 10% increase or more over FY2007 baseline of 2500 by June 30, 2010).

Data Source and Calculation: The annual number of completed training sessions by state employees via EDR's instructor-led records, train-the-trainer graduates, and DHRM's LMS training records will be totaled and compared with the FY2007 baseline total.

- Advance the effectiveness of EDR's statewide mediation program and other methods of managing and resolving workplace conflict before it escalates.

Objective Description

One of EDR's statutory mandates is to provide alternative processes for resolving employment disputes, including a statewide mediation program. Va. Code § 2.2-1001(1) and (2). Mediation is a voluntary, confidential process through which neutral third parties (mediators) assist employees in conflict with exploring their differences and developing their own solutions to workplace concerns. Mediation occurs between two or more parties, and can also be provided to groups of employees. A key factor to a mediation's success is the quality of mediator services.

Objective Strategies

- Partner with other public entities such as the Interagency Dispute Resolution Advisory Council and Virginia Tech to share qualified state employee mediators
- Provide additional training to agency employees who refer workplace disputes to EDR's mediation program. This training should expand the knowledge of those making the referrals and help target those disputes most appropriate for mediation.
- Continue to address the needs and concerns of agency mediation coordinators and mediation providers to provide solutions to any issues that affect customer satisfaction with the service
- Continue to add new features to the evaluative process to identify ways to develop further the skill base of mediation participants, and to provide more focused assistance with specific employee disputes
- Maintain and augment positive relationships with statewide ADR professional organizations to attract high quality mediator providers
- Investigate the use of technology such as video conferencing in providing EDR mediation services to better serve employees working in remote locations
- Through EDR training sessions and through Adviceline consultations where appropriate, continue to communicate with and advise state agencies and employees about the value and effective use of mediation

Link to State Strategy

- nothing linked

Objective Measures

- Percentage of mediation participants who rate the mediation service as an overall 4 or 5 on a 5-point scale.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 94.4% rated mediation service as a 4 or 5 for FY2009

Measure Target Value: Date:

Measure Target Description: at least 95% rate mediation service as 4 or 5 for FY2009 and FY2010

Data Source and Calculation: Two-party mediation participants receive and complete an evaluation questionnaire after completing the session. The questionnaire rates various factors, using a 5-point scale for each, with 5 being the highest rating. The overall rating (either a 1, 2, 3, 4, or 5) for each questionnaire is calculated by averaging the ratings for the various factors and rounding up or down to the nearest whole number. The total number of questionnaires is then divided into the number of questionnaires with an overall rating of either 4 or 5 to derive the percentage. Source: EDR mediation evaluations and records