

DEPARTMENT OF EMPLOYMENT RELATIONS BULLETIN

Date December 18, 1987

Subject

Underutilization is the Basis for Taking
Affirmative Action and Using Expanded
Certification in the Selection Process

Number AA-8

This bulletin is intended to clarify the circumstances in which a state agency has the opportunity to take affirmative action and use expanded certification in the selection process. Whenever there is underutilization in a job group an agency has the opportunity to take affirmative action and use expanded certification in the selection process.

This means that for every classified opening which occurs in a job group which is underutilized, an agency can consider an applicant's race and/or sex as "plus" factors in the selection process and receive expanded certification for racial/ethnic minorities, females or both. In these instances, the agency is expected to follow the standards outlined in Section II. C. of the Planning Standards and in Section I of the Policy and Procedure Standards which were issued November 20, 1987.

Underutilization has been declared in a number of job groups for the state as an employer. In a few job groups, underutilization has been declared for a single agency. The underutilized job groups appear in the Planning Standards on pages 19-35.

The findings of underutilization will remain in effect for the duration of the Equal Employment Opportunity/Affirmative Action Plan. The end date for the plan is June 30, 1989. At that time, the Division of Affirmative Action will reanalyze the state classified workforce and declare underutilization for those job groups in which there is substantial underrepresentation of racial/ethnic minorities, females or both.

The goalsetting methodology described in the Affirmative Action Planning Standards in the section titled "How Goals Will Be Set" (Section II.C.3., pages 10-12) states that agency goals will be determined by multiplying the agency's anticipated number of openings in the job group over the planning period times the relevant labor pool percentage (availability) for the affirmative action group.

When the result is .5 or greater, a numerical affirmative action goal will be set. In instances when the result of the calculation of openings times availability is less than .5, the agency can still take affirmative action and use expanded certification because the state is underutilized for the job group in which the opening is occurring.

When the state is not underutilized but an agency is, and the result of openings times availability is .5 or less, the agency can take affirmative action and use expanded certification because the agency is underutilized.

EXAMPLE 1: Job Group A is underutilized for females. The availability for females in Job Group A is 38.94%. The agency anticipates 20 openings in the job group over the 1 1/2 year planning period (1/1/88 to 6/30/89). The goal computation is: $\frac{0.3894 \times 20}{1} = 7.788$. After rounding, the agency goal for females in Job Group A for the planning period is 8.

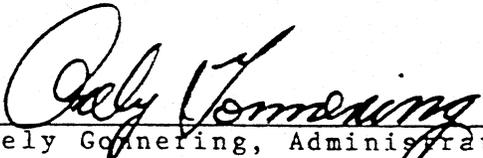
The agency can take affirmative action and use expanded certification for females for each opening which occurs between 1/1/88 and 6/30/89 in classifications which are included in Job Group A.

EXAMPLE 2: Job Group B is underutilized for racial/ethnic minorities. The availability for racial/ethnic minorities in Job Group B is 6.14%. The agency anticipates 1 opening over the 1 1/2 year planning period. The goal computation is: $\frac{0.06714 \times 1}{1} = 0.06714$. Since openings times availability is less than .5, the numerical goal for racial/ethnic minorities in Job Group B will be 0.

In this example the agency can take affirmative action and use expanded certification for racial/ethnic minorities for the one anticipated opening when it occurs, and for any additional openings which occur in Job Group B.

Note: If zero (0) openings were anticipated in Job Group B during the planning period, but one or more did occur, affirmative action and expanded certification for racial/ethnic minorities would be authorized since the job group is underutilized.

If you have questions regarding this bulletin, contact your agency's contact person in the Division of Affirmative Action.



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