

**Milwaukee County Can Benefit from
a Contemporary, Comprehensive
Workforce Diversity Policy**

August 2014

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Audit Services Division**

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August 25, 2014

To the Honorable Chairwoman
of the Board of Supervisors
of the County of Milwaukee

We have completed an audit, *Milwaukee County Can Benefit from a Contemporary, Comprehensive Workforce Diversity Policy*. The audit began with a focus on workforce diversity at General Mitchell International Airport, but many of our findings and recommendations are Countywide in scope.

The attached report includes an overview of important developments in the evolution of federal laws and regulations, federal Executive Branch actions, judicial decisions and County personnel practices over several decades as they relate to the concepts of affirmative action and workforce diversity. It notes the Department of Human Resources' recent efforts to work with the Office of the County Executive and the various departmental diversity committees to develop a Diversity Committee mission statement and goals for Countywide application.

The report also describes how the County's 2007 conversion to its current Ceridian Human Resources management information system created problems affecting its ability to manage workforce diversity issues. The report provides data showing the County's overall workforce is more diverse than its Relevant Labor Market, a key benchmark for establishing and measuring progress towards achievement of affirmative action goals, while General Mitchell International Airport's workforce is less diverse. The data also show there is wide variation in workforce diversity among fulltime staff in major County departments. Conclusions and recommendations to address issues identified in the report are presented in **Section 5** of the report.

A response from the Department of Human Resources and GMIA is included as **Exhibit 5**. We appreciate the cooperation extended by management and staff of both the Department of Human Resources and General Mitchell International Airport during the course of this audit.

Please refer this report to the Committee on Finance, Personnel and Audit.

Jerome J. Heer
Director of Audits

JJH/DCJ/cah

Attachment

cc: Scott B. Manske, CPA, Milwaukee County Comptroller
Milwaukee County Board of Supervisors
Chris Abele, Milwaukee County Executive
Kerry Mitchell, Chief Human Resources Officer, Department of Human Resources
Terry Blue, Interim Airport Director, General Mitchell International Airport
Don Tyler, Director, Department of Administrative Services
Kelly Bablitch, Chief of Staff, County Board Staff
Josh Fudge, Fiscal & Budget Administrator, DAS
Steve Cady, Research & Policy Director, Office of the Comptroller
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Milwaukee County Can Benefit from a Contemporary, Comprehensive Workforce Diversity Policy

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Summary

Milwaukee County operates and maintains both General Mitchell International Airport (GMIA) and Lawrence J. Timmerman Field under authority granted by Chapters 59 and 114 of the Wisconsin Statutes. The Airport Director is responsible for operations of the Airport Division, with a 2014 Adopted Budget expenditure appropriation of \$84.2 million. The 2014 budget includes funding for 273.6 Fulltime Equivalent (FTE) positions for the division, of which 5.7 FTE are in the form of seasonal/hourly/pool positions. This audit of General Mitchell International Airport personnel practices was initiated in response to a request contained in a County Board Resolution (File No. 13-97; see **Exhibit 2**). Although this audit began with a focus on personnel practices with respect to workforce diversity at General Mitchell International Airport, many of our findings and recommendations are Countywide in scope.

Milwaukee County does not have a contemporary, comprehensive workforce diversity policy.

Included among 'whereas' clauses providing context and a rationale for the resolution requesting this audit of GMIA personnel practices is the following statement:

WHEREAS, it is vital that GMIA is reflective of the County's commitment to diversity because it is the "gateway" for persons visiting Milwaukee County for business or leisure; and...

That statement presumes there is an established, well-recognized and uniformly understood policy or principle that defines the "County's commitment to diversity." Our research indicates that, at the beginning of our audit fieldwork, there was no comprehensive, definitive statement of policy regarding diversity in the Milwaukee County workforce. Consequently, a review of important developments in the evolution of federal laws and regulations, federal Executive Branch actions, judicial decisions and County personnel practices over several decades is informative in attempting to accurately describe the "County's commitment to diversity" as referenced in County Board Resolution 13-97. **Section 1** of this report provides an overview of developments in that evolution, including the Department of Human Resources' recent efforts to work with the Office of the County Executive and the various departmental diversity committees to develop a Diversity Committee mission statement and goals for Countywide application.

Since 2007, Milwaukee County has experienced problems with the collection and maintenance of data necessary to accurately report and effectively analyze and manage issues relating to workforce diversity.

The County's 2007 conversion to its current Ceridian Human Resources management information system created problems affecting its ability to manage workforce diversity issues. Subsequent corrective measures have been ad hoc, limited in scope and have lacked an overall policy initiative to fashion a cohesive workforce diversity objective. Ceridian conversion applied EEO-1 (Private Sector) racial/ethnicity classifications, which are more detailed than the EEO-4 (State & Local Governments) classifications that are necessary for Milwaukee County to comply with mandatory federal reporting requirements. This negatively affected the accuracy and completeness of County racial/ethnicity reports. Based on a review of year-end County workforce data for 2010, 2011 and 2012, we concluded that data from 2011 forward was relatively complete. However, we were unable to rely on historic data to analyze the County's workforce diversity during the period 2007 through 2010, and chose to focus our review primarily using 2012 and 2013 data. In addition, Ceridian conversion problems/confusion appear to have resulted in suspension of the County's ability to provide departments with annual 'underutilization' reports for affirmative action plan development and monitoring purposes.

Clean-up of potential inconsistencies in job classifications, some of which may have preceded the Ceridian conversion, was one of the objectives of the Human Resources Division's Job Evaluation Questionnaire (JEQ) project. However, the former Director of Compensation was using EEO-1 (Private Sector) job categories in lieu of EEO-4 (State & Local Governments) job categories in reviewing, re-titling and re-classifying Milwaukee County positions. Our survey of other counties locally and nationally shows that Milwaukee County's assignment of EEO-1 Job Categories to government job titles is not a common or 'Best Practice.' The County Director of Employee Benefits, currently serving in the additional capacity of Interim Director of Compensation, indicated that EEO-1 job categories are used by the major national compensation surveys and is useful information for the County's Compensation Division. He pointed out that the County competes in the same labor market as the private sector for many positions. He also stated that the County must maintain accurate EEO-4 data for mandatory federal reporting requirements. During the course of audit work, managers within the Office of the Comptroller's Payroll Division and the Human Resources Compensation Division recognized and concurred that a coordinated clean-up of Milwaukee County EEO data is needed.

Milwaukee County's overall fulltime workforce is more diverse than GMIA's; there is wide variation in workforce diversity among fulltime staff in major County departments.

A key benchmark used by the federal government to evaluate employers' adherence to affirmative action plans and commitment to fair personnel practices is the percentage of minority and women workers in the Relevant Labor Market (RLM) for an employer. According to the U.S. Census Bureau, the Equal Employment Opportunity Tabulation has been used for more than five decades as the primary external benchmark for comparing the race, ethnicity, and sex composition of an organization's internal workforce, and the analogous external labor market. For year-end 2013, data show Milwaukee County's fulltime workforce was more diverse in total percentage of minority and women participation than its Relevant Labor Market, while at GMIA, there was less workforce diversity. The same data show a wide variation in workforce diversity among various County departments and within different job classifications.

The State of Florida's Division of Human Resource Management, Department of Management Services, describes three analytical methods to compare the actual percentage of minorities and females within an agency's workforce with their availability in the Relevant Labor Market in its *Affirmative Action Planning Guide (March 2011)*. These same methods are approved in the U.S. Department of Labor's *Technical Assistance Guide for Federal Supply and Service Contractors*.

The following descriptions are contained in the Florida guide.

- **Any Difference Rule.** Underutilization is declared whenever the number of minorities or females in an EEO group is less than the expected number based on availability. Under this rule, **0.2%** of a person short is considered underutilization.
- **One Whole Person Rule.** Under this method, underutilization is declared when an EEO group's availability exceeds the current workforce within that group by one or more persons. This rule is based on the premise that the employer cannot recruit less than a whole person.
- **80% of Availability Rule.** This rule is sometimes referred to as the 4/5ths Rule, Impact Ratio Analysis, or Disparate Impact Testing. Underutilization is declared when the rate of utilization is less than 80% of an EEO group's availability.

Application of these methods yields data that can be used as a starting point from which to focus efforts to encourage and monitor workforce diversity at GMIA and other County departments. The methods do not identify potential underlying causes or contributing factors leading to underutilization of minorities or women in the workforce, such as a lack of outreach efforts or the presence of cultural, racial or gender bias. For instance, GMIA management suggested that below-market pay scales negatively impact its ability to attract qualified minority candidates for certain positions.

Our analysis shows GMIA's 2013 fulltime workforce reflects an underutilization of minority workers in the aggregate under each of the three distinct measurement approaches in the following four job categories:

- Professionals
- Protective Service Workers
- Skilled Craft Workers
- Service-Maintenance Workers

We performed the same type of analysis Countywide. Based on year-end 2013 data, the fulltime County workforce reflects an underutilization of minority workers in the aggregate under each of the three distinct measurement approaches in two job categories:

- Skilled Craft Workers
- Service-Maintenance Workers

Female workers are clearly underutilized in five GMIA job categories.

Similarly, GMIA's 2013 fulltime workforce reflects an underutilization of female workers under each of the three distinct measurement approaches in the following five job categories:

- Professionals
- Technicians
- Protective Service Workers
- Skilled Crafts Workers
- Service-Maintenance Workers

Applying the same analysis Countywide, the three methods for determining underutilization show a clear underutilization of woman in two job categories:

- Skilled Craft workers.
- Service-Maintenance workers.

Although documentation was incomplete, detailed review of available GMIA human resources data show adherence to Civil Service procedures but reflects mixed results in demonstrating an emphasis on increasing workforce diversity.

The racial and gender composition of applicants at various stages of a continuous open recruitment for Airport Service Workers in 2012 and the first quarter of 2013 reflect a sufficient degree of diversity throughout the hiring process. However, as a result of the departure of four minority employees, the racial/ethnic composition of the 10 remaining Airport Maintenance Workers is less diverse than the 14 hires from GMIA's continuous recruitment. Three of the four were discharged

during the probationary period, and one resigned. GMIA management offered reasonable justification for the dismissals. We raise this issue in the context of considering not only hiring practices, but retention strategies, when developing comprehensive workforce diversity objectives.

The data from our review of the continuous recruitment of Airport Maintenance Workers during the period 2012 through the first quarter of 2013 reflects a concerted effort on the part of GMIA management to hire minorities and females. However, as demonstrated from this review, retention of targeted groups is also an important component of maintaining a diverse workforce.

None of the 17 promotions within the GMIA workforce in those two years were granted to a minority employee.

The data in 2012 and 2013 reflects a lack of diversity in both racial/ethnicity and gender categories with respect to promotions within the GMIA workforce. In 2012, nine of the departmental promotions were non-minorities, with one female representing 11 percent. In 2013, all eight of the departmental promotions were non-minorities, with two females representing 25 percent.

We emphasize that our audit did not include an evaluation of the merits of either promotions or terminations at GMIA. GMIA management noted that for the 17 promotions included in our two-year review period, there were limited instances in which minority or women workers qualified for advancement. Further, there are prescribed remedies for individuals that believe they were the object of unfair personnel actions, including appeals to the Milwaukee County Personnel Review Board for wrongful termination and complaints to the Equal Rights Division of the State Department of Workforce Development or federal Equal Employment Opportunity Commission for discriminatory personnel actions.

None of the 70 discrimination complaints against Milwaukee County filed with the Equal Employment Opportunity Commission or the Equal Rights Division of the State Department of Workforce Development in 2012 and 2013 involved employees or management at GMIA.

Our review of discrimination complaints filed with state and federal agencies for 2012 and 2013 showed there were 70 claims involving 33 complainants filed during that period. None of the 70 claims involved personnel actions at GMIA.

A review of the limited number of GMIA personnel disciplinary actions appealed before the Personnel Review Board in 2012 and 2013 showed no pattern of reductions or reversals that would suggest racial or gender bias on the part of GMIA management.

Data from the Milwaukee County Personnel Review Board (PRB) shows a limited number of GMIA personnel disciplinary actions appealed to the PRB in 2012 and 2013. In 2012, three GMIA

employees appealed disciplinary actions to the PRB; in 2013, nine GMIA employees (including one of the three included in the 2012 data) appealed disciplinary actions to the PRB. As a result of the limited number of employees involved, it is difficult to discern any potential racial or gender bias in those disciplinary actions based on proportionality with the racial/ethnicity or gender composition of the entire GMIA workforce.

However, analyzing the data in several ways does not present a pattern of PRB reductions or reversals that would suggest a racial or gender bias on the part of GMIA management.

Although this audit began with a focus on personnel practices with respect to workforce diversity at General Mitchell International Airport, many of our findings and recommendations are Countywide in scope. **Section 5** of this report presents a recap of our conclusions and several recommendations designed to address issues raised during the audit.

We would like to acknowledge the cooperation extended by staff at GMIA as well as the Department of Human Resources. A management response to audit recommendations from DHR and GMIA is included as **Exhibit 5**.

Background

Milwaukee County operates and maintains both General Mitchell International Airport (GMIA) and Lawrence J. Timmerman Field under authority granted by Chapters 59 and 114 of the Wisconsin Statutes. The Airport Director is responsible for operations of the Airport Division, with a 2014 Adopted Budget expenditure appropriation of \$84.2 million. The 2014 budget includes funding for 273.6 Fulltime Equivalent (FTE) positions for the division, of which 5.7 FTE are in the form of seasonal/hourly/pool positions.

The Airport Director reports to the Director of Transportation. Under the terms of a negotiated agreement between Milwaukee County and six signatory airlines, all operating expenses and debt service costs for the airport are recovered through rates and charges assessed to users of GMIA facilities through terminal space and land rentals, concession fees and landing fees.

GMIA has five runways, the longest two of which are used primarily for commercial air passenger and cargo jet aircraft. The remaining three smaller runways serve smaller jets and general aviation propeller aircraft. GMIA's main terminal complex comprises a central terminal building and three passenger concourses with 48 gates. Total passenger traffic in 2013, including both enplanements (departures) and deplanements (arrivals) was 6.5 million.

This audit of General Mitchell International Airport personnel practices was initiated in response to a request contained in a County Board Resolution (File No. 13-97; see **Exhibit 2**).

Conclusions and recommendations to address issues identified in our audit are presented in **Section 5** of this report.

Section 1: Milwaukee County does not have a contemporary, comprehensive workforce diversity policy.

Included among ‘whereas’ clauses providing context and a rationale for the resolution requesting this audit of GMIA personnel practices is the following statement:

WHEREAS, it is vital that GMIA is reflective of the County’s commitment to diversity because it is the “gateway” for persons visiting Milwaukee County for business or leisure; and...

The resolution requesting this audit presumes there is an established, well-recognized and uniformly understood policy or principle that defines the “County’s commitment to diversity.”

That statement presumes there is an established, well-recognized and uniformly understood policy or principle that defines the “County’s commitment to diversity.” Our research indicates that, at the beginning of our audit fieldwork, there was no comprehensive, definitive statement of policy regarding diversity in the Milwaukee County workforce. Consequently, a review of important developments in the evolution of federal laws and regulations, federal Executive Branch actions, judicial decisions and County personnel practices over several decades is informative in attempting to accurately describe the “County’s commitment to diversity” as referenced in County Board Resolution 13-97.

The Federal Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex or national origin.

Title VII of the act created the Equal Employment Opportunity Commission (EEOC) to implement the law. Subsequent legislation and rule-making authority vested in the EEOC resulted in expanded powers of investigatory authority, creating conciliation programs, filing lawsuits and conducting voluntary assistance programs.

The term ‘affirmative action’ is not included in the original language of the Civil Rights Act of 1964. The term was initially invoked in Executive Order 10925, signed by President John F. Kennedy on March 6, 1961.

The term ‘affirmative action’ is not included in the original language of the Civil Rights Act of 1964. The term was initially invoked in Executive Order 10925, signed by President John F. Kennedy on March 6, 1961. The order created the President’s Committee on Equal Employment Opportunity, and established a framework for the federal government to review current personnel practices and “...to consider and recommend additional affirmative steps which should be taken by executive departments to realize more fully the national policy of nondiscrimination within the Executive Branch of government.”

Executive Order 10925 also required federal contractors and sub-contractors to take affirmative action to ensure equality of opportunity in all aspects of employment. Subsequent Executive Orders and amendments broadened and enhanced the affirmative action concepts and techniques initiated within the framework of Executive Order 10925. Affirmative action, defined by the *West Encyclopedia of American Law* “refers to both mandatory and voluntary programs intended to affirm the civil rights of designated classes of individuals by taking positive action to protect them” from discrimination.

The Equal Employment Opportunity Commission is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person’s race, color, religion, sex, disability or genetic information.

Presently, according to information provided by the EEOC, the Commission is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person’s race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. It is also illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

Included among EEOC oversight efforts are mandatory collection and reporting of racial and gender demographic data within

specified EEO job categories. Separate reporting requirements apply to public and private sector employers.

The Johnnie G. Jones et al. v. Milwaukee County Consent Order in 1979 imposed some affirmative action requirements on Milwaukee County as redress for earlier discrimination in hiring.

Beginning in 1980 and throughout the next three decades, Milwaukee County's hiring practices have been heavily influenced by the existence of a court order commonly referred to as the 'Johnnie Jones Consent Decree' or 'Johnnie Jones Consent Order.'

Beginning in 1980 and throughout the next three decades, Milwaukee County's hiring practices have been heavily influenced by the existence of a court order commonly referred to as the 'Johnnie Jones Consent Decree' or 'Johnnie Jones Consent Order' (Consent Order). In 1974, a lawsuit was filed seeking relief from unlawful discriminatory practices with respect to employment, transfer and promotion of black and other minority persons in the classified service of Milwaukee County. The action was brought under Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972. In 1975, the court approved class action status for all Black, Spanish-surnamed and American Indian persons falling within the parameters of the complaint. The Consent Order was signed by the affected parties in December 1979 and approved by Judge Myron L. Gordon on March 10, 1980.

In addition to specific requirements for individual relief of several named plaintiffs in the action, the Consent Order imposed some affirmative action requirements on Milwaukee County applicable to all eight EEOC job categories established for state and local governments. For example, the Consent Order established a minority representation goal of 16% of position titles in the Technicians job category until December 31, 1985. After December 31, 1985 the goal reverted to the percentage of minorities in the Milwaukee County population (whether greater than or less than 16%), according to the 1980 U.S. census. Specific actions were required when percentage goals were not reached for some job categories. For instance, in the Officials/Administrators job category, if the goal of 9.6% was not

reached by December 31, 1982, then class members were to be appointed to every second vacancy in the category until the goal was reached.

The Consent Order also provided for the eventuality of reaching the established goals:

H. Validation or Elimination of disparate Impact

71. *After defendants reach the goal established for any position title by paragraphs 51-70 of this consent order, defendants shall thereafter select employees for that position title only by means of test, criteria, or other selection procedures*

(a) which have no adverse impact on class members, or

(b) which the parties agree or the court determines have been validated in accordance with the Uniform Guidelines on Employee Selection Procedures, 43 Red. Reg. 38290 (August 25, 1978).

Other provisions of the Consent Order provided back-pay and settlement payments to certain class members, and established varying amounts of retroactive seniority credit for purposes other than pension service credit and off-time accumulation for various class members. The County was also required to provide opposing counsel a series of monthly and annual reports related to the racial composition of its workforce and changes in the workforce.

Correspondence documenting recent discussions between the Milwaukee County Office of Corporation Counsel and Legal Action of Wisconsin establish a mutual understanding that, with one exception, provisions of the Consent Order are no longer relevant.

Correspondence documenting recent discussions between the Milwaukee County Office of Corporation Counsel and Legal Action of Wisconsin (counsel for the plaintiffs in *Johnnie G. Jones, et al. v. Milwaukee County*) establish a mutual understanding that, with one exception, provisions of the Consent Order are no longer relevant. There is mutual understanding that the retroactive seniority credit granted to a number of class members remains intact. According to the

Department of Human Resources, as of early March 2014, there were 227 active Milwaukee County employees whose seniority was adjusted as a result of the Consent Order. The adjusted seniority date is recorded in the County payroll database, thus providing for accurate calculations of seniority rights for layoffs and transfers. The mutual understanding documented in the correspondence indicates that the requirements now imposed on the County by a host of federal and state Equal Employment Opportunity provisions surpass the requirements imposed by the remaining Consent Order provisions, including record retention and reporting provisions, and thus render those Consent Order provisions moot.

A comprehensive workforce analysis of minority and female participation was performed annually as part of Milwaukee County's affirmative action planning and monitoring, but was discontinued in 2007.

The last annual Countywide workforce analysis of minority and female participation was prepared in 2006.

According to the former Employment Relation Manager for DHR, the last annual Countywide workforce analysis of minority and female participation was prepared in 2006. The discontinuation of this annual report coincides with the County's conversion from its former Genesys human resources computer platform to the Ceridian system currently in place. As described further in **Section 2** of this report, problems with data conversion to the new system appears to have affected the County's ability to accurately report the racial makeup of the County workforce or to produce 'underutilization' reports used to establish departmental affirmative action goals.

Subsequent actions have resulted in the resumption of reports used to establish affirmative action goals at the departmental level, but the comprehensive analysis and reporting of Countywide workforce diversity has not been resumed.

Federal Executive Branch actions and Supreme Court rulings have abolished strict quotas but did not nullify affirmative action efforts.

- In 1969, President Richard Nixon initiated the 'Philadelphia Plan' to guarantee fair hiring practices in federally funded construction jobs. In a statement to Senate and House Conferees, President Nixon stated, "The Philadelphia Plan does not set quotas; it points to goals. It does not presume automatic violation of law if the goals are not met; it does require affirmative action if a review of the totality of a contractor's employment practices shows that he is not affording equal employment opportunity."
- In *Hazelwood School District v. United States*, 433 U.S. 299 (1977), the Supreme Court agreed that the comparison of Hazelwood's teacher workforce to its student population fundamentally misconceived the role of statistics in employment discrimination cases. The proper comparison was between the racial composition of Hazelwood's teaching staff and the racial composition of the qualified public school teacher population in the relevant labor market. In its opinion, the Court cited from an earlier ruling, *Teamsters v. United States*, 431 U.S. 340 (1977), stating: "absent explanation, it is ordinarily to be expected that nondiscriminatory hiring practices will in time result in a work force more or less representative of the racial and ethnic composition of the population in the community from which employees are hired."
- In *University of California Regents v. Bakke*, 438 U.S. 265 (1978), the Supreme Court decided that a public university may take race into account as a factor in admissions decisions but rejected racial quotas by imposing limitations on affirmative action.
- In *United States v. Paradise*, 480 U.S. 149 (1987), the Supreme Court ruled that judges can order employers to use numerical racial quotas in promotions and hiring to cure "egregious" past discrimination against blacks, ruling that under a strict scrutiny analysis, the one-black-for-one-white promotion requirement is permissible under the Equal Protection Clause of the Fourteenth Amendment.
- In *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 115 S. Ct. 2097, 132 L. Ed. 2d 158 (1995), the Supreme Court ruled that all racial classifications, imposed by whatever federal, state, or local governmental actor, must be analyzed by a reviewing court under strict scrutiny. The Court noted in its opinion that federal racial classifications, like those of a state, must serve a compelling governmental interest, and must be narrowly tailored to further that interest. The Court further noted that when race-based action is necessary to further a compelling interest, such action is within constitutional

constraints if it satisfies the “narrow tailoring” test set out in the Court’s earlier rulings.

- In 1995 President Bill Clinton gave an address in which he announced that affirmative action was still needed to right past wrongs. At the same time, he issued a White House memorandum to federal Executive Branch departments and agencies, giving specific instructions to eliminate or reform any affirmative action program that:
 - (a) *creates a quota;*
 - (b) *creates preferences for unqualified individuals;*
 - (c) *creates reverse discrimination; or*
 - (d) *continues even after its equal opportunity purposes have been achieved.*
- In *Grutter v. Bollinger*, 539 U.S. 306 (2003), the Supreme Court ruled that the Equal Protection Clause, Title VI, did not prohibit the law school’s narrowly tailored use of race in admissions decisions to further a compelling interest of the educational benefits of a diverse student body.
- In *Schuette v. Coalition to Defend Affirmative Action*, Docket 12-682 (2014), the Supreme Court reversed a lower court’s ruling that set aside a Michigan State Constitutional provision that prohibits the use of race-based preferences as part of the admissions process for state universities. In one of the Court’s majority opinions, Justice Kennedy noted that in this case, “...the principle that the consideration of race in admissions is permissible when certain conditions are met was not being challenged. Rather, the question concerns whether, and in what manner, voters in the States may choose to prohibit the consideration of such racial preferences.”

Achieving diversity in the workforce is a broader concept than traditional affirmative action planning but is compatible with, and expands on, affirmative action concepts.

There is voluminous information distinguishing the concept of workforce diversity from traditional affirmative action programs and policies. Information provided by the Office of Diversity and Affirmative Action at Stony Brook University, part of the New York State University system, embraces the essence of many publications we reviewed:

While there is some overlap both in philosophy and practice, there are significant differences [between diversity and affirmative action], as outlined below:

Motivation

Affirmative Action changes are driven by law.... It is a remedial approach, righting past wrongs. Employers have been expected to make a positive effort to recruit, hire, train, and promote employees of previously excluded groups. Managing diversity, on the other hand, is strategically driven, and brings a pragmatic orientation. It focuses on benefits to the organization. Capitalizing on diversity is seen as contributing to organizational goals such as profit, productivity, and morale, rather than just avoiding lawsuits or meeting legal requirements.

Targeted Groups

Affirmative action is selective in mandating changes that benefit previously disadvantaged groups. Diversity is inclusive, encompassing everyone in the workplace. It seeks to create a working environment in which everyone and every group fits, feels accepted, has value, and contributes.

Bringing People In

Affirmative action generally uses an assimilation approach, expecting that people brought into the system will adapt to existing conditions. Diversity operates with a different approach; a synergy model. This view assumes that the diverse groups will devise new, creative ways of working that will move beyond the way we've always done things to improve the organization.

Desired Results

Affirmative action is numbers oriented, aimed at changing the demographics within the organization. Managing diversity is behavioral, aimed at changing the organizational culture, and developing skills and policies that get the best from everyone. Affirmative action opens doors in the organization while managing diversity opens the culture and the system. Managing diversity does not replace affirmative action; rather, it builds on the critical foundation laid by workplace equity programs. Affirmative action and managing diversity go hand-in-hand, each reinforcing the gains of the other. Without affirmative action's commitment to hiring and promoting diverse employees, organizations would rarely have the diversity of staff to reach a stage where differences are valued and diversity is effectively managed. Once diverse staff is on board, the Organization can focus on creating an inclusive environment where everyone's needs and values are taken into account, where no one is disadvantaged because of his or her differentness, and where

organizational policies and management practices work for everyone.

The Department of Human Resources has recently worked with the Office of the County Executive and the various departmental diversity committees to develop a Diversity Committee mission statement and goals for Countywide application.

Over the past several years, Milwaukee County has begun incorporating concepts of workforce diversity into its traditional Countywide affirmative action planning and monitoring. Since at least 2008, DHR has referred to departmental affirmative action committees as diversity committees.

By the end of May, a Diversity Committee mission statement and goals were embraced by DHR as consensus statements to be considered 'works in progress' and reviewed for possible revisions in January 2015.

Earlier this year, DHR worked with the departmental diversity committees and the Office of the County Executive to draft a mission statement and goals to guide activities for the remainder of 2014. By the end of May, the following were embraced by the department as consensus statements to be considered 'works in progress' and reviewed for possible revisions in January 2015.

Mission

Milwaukee County's Diversity Committee strives to honor inclusiveness, advocating for education, awareness, acceptance, and outreach in the workplace and community.

Goals

- *To effectively communicate the works of the Diversity Committee.*
- *Promote initiatives that enhance the quality of life for the community by celebrating diversity through community outreach.*
- *Provide leadership; promote equality and acceptance for all differences through education.*

In addition, four sub-committees have been established to further the committee's goals. The four sub-committees are *Diversity Learning, Community Involvement, Communications* and *Volunteer Support*.

Section 2: Milwaukee County has experienced problems with the collection and maintenance of data necessary to accurately report and effectively analyze and manage issues relating to workforce diversity.

The Equal Employment Opportunity Commission (EEOC) collects workforce data from employers with more than 100 employees (the threshold is 50 for federal contractors). Data collected includes gender and race/ethnicity by various job categories. The data is used for a variety of purposes including law and regulatory enforcement, self-assessment by employers, and research. The information is shared with other authorized federal agencies to avoid duplication and aggregated data is available to the public. **Table 1** shows the four reports currently mandated by the EEOC, the types of employers subject to each reporting mandate, and the timetable for reporting.

**Table 1
EEOC-Mandated Employer Reports**

EEO Survey Required	Types of Employers Required to Complete EEO Surveys	EEOC Schedule
EEO-1	Employers with federal government contracts of \$50,000 or more and 50 employees; and who do not have a federal government contract but have 100 or more employees, excluding state and local governments, primary and secondary school systems, institutions of higher education, Indian tribes and tax-exempt private membership clubs other than labor organizations.	EEO-1 Surveys - Conducted and collected annually from EEOC and the Department of Labor, Office of Federal Contract Compliance Programs.
EEO-3	Employers collect data from "Referral Unions." This term describes unions under whose normal methods of operation, individuals customarily and regularly seek or gain employment through the union, or an agent of the union.	EEO-3 Surveys - Conducted and collected from EEOC biennially, in even-numbered years.
EEO-4	Employers collect labor force data from state and local governments that have 15 or more employees within 50 U.S. states and the District of Columbia and all other political jurisdictions which have 15 or more employees.	EEO-4 Surveys - Conducted and collected biennially, in odd-numbered years from EEOC.
EEO-5	Employers collect labor force data from public elementary and secondary school districts with 100 or more employees within 50 U.S. States and District of Columbia.	EEO-5 Surveys - Conducted and collected biennially, in even-numbered years from EEOC.

Source: Federal Equal Employment Opportunity Commission.

The County's 2007 conversion to its current Ceridian Human Resources management information system created problems affecting its ability to manage workforce diversity issues. Subsequent corrective measures have been ad hoc, limited in scope and have lacked an overall policy initiative to fashion a cohesive workforce diversity objective.

Ceridian conversion applied EEO-1 (Private Sector) racial/ethnicity classifications, which are more detailed than the EEO-4 (State & Local Governments) classifications that are necessary for Milwaukee County to comply with mandatory

federal reporting requirements. This negatively affected the accuracy and completeness of County racial/ethnicity reports.

Table 2 shows the racial/ethnicity classifications used for data collection and reporting under each of the two distinct federal mandates.

Table 2 Federally-Mandated Racial/Ethnicity Classifications for Data Collection and Reporting Purposes	
EEO-4 (State & Local Governments)	EEO-1 (Private Sector)
1) American Indian or Alaskan Native	1) American Indian or Alaskan Native
2) Asian or Pacific Islander	2) Asian
	3) Native Hawaiian or other Pacific Islander
3) Black (Not of Hispanic Origin)	4) Black or African American
4) White (Not of Hispanic Origin)	5) White
5) Hispanic	6) Hispanic or Latino
	7) Two or More Races

Source: Federal Equal Employment Opportunity Commission instructional booklets.

According to the Payroll Manager, she noticed incomplete data when attempting to run the mandatory EEO-4 reports in 2009.

According to the Payroll Manager, who began County employment after the Ceridian conversion, she noticed incomplete data when attempting to run the mandatory EEO-4 reports in 2009. The Payroll Manager stated the problem was associated with County employees hired subsequent to the transition off of the old payroll system, last used in November 2007. According to the Payroll Manager, she was able to identify the source of the problem and correct the racial/ethnicity categories collected for new hires in 2010. Based on the Payroll Manager's comments and a review of year-end County workforce data for 2010, 2011 and 2012, we concluded that data from 2011 forward was relatively complete. However, we were unable to rely on historic data to analyze the County's workforce diversity during the period 2007 through 2010, and chose to focus our review primarily using 2012 and 2013 data.

In addition, Ceridian conversion problems/confusion appear to have resulted in suspension of the County's ability to provide departments with annual 'underutilization' reports for affirmative action plan development and monitoring purposes.

For example, a form attached to an e-mail sent from the County Employment Relations Manager to departmental diversity committee chairs in April 2011 discusses a *Utilization Analysis Report* available through the Ceridian Human Resources Payroll Web (HPW) module. According to the form:

*This **EEO-1** [emphasis added] report compares the workforce representation with the computed availability and calculates the utilization status of minorities and females within your department.*

A subsequent e-mail sent from the Employment Relations Manager to diversity committee chairs, in May 2011, acknowledges problems with data used to generate the above-referenced reports:

I have received several e-mails from Chairs on how to determine the underutilization of employees in your departments. Many of you remember that we previously had a [sic] different software, whereby the underutilization report was built in, however this report was not dumped into Ceridian, and currently the total of employees broken down by gender and race are incorrect. It is okay to submit your plan on or ahead of schedule and to leave this report out until we have accurate information. I would simply say that a goal for your department would be to continue to recruit and hire a diverse work group.

Our survey of other counties locally and nationally shows that Milwaukee County's assignment of EEO-1 Job Categories to government job titles is not a common or 'Best Practice.'

Clean-up of potential inconsistencies in job classifications, some of which may have preceded the Ceridian conversion, was one of the objectives of the Human Resources Division's Job Evaluation Questionnaire (JEQ) project. However, the former Director of Compensation was using EEO-1 (Private Sector) job

categories in lieu of EEO-4 (State & Local Governments) job categories in reviewing, re-titling and re-classifying Milwaukee County positions.

Table 3 shows the similar, but different, job categories established for state and local governments (EEO-4), and the private sector (EEO-1), respectively.

Table 3 Federally-Mandated Job Categories for Data Collection and Reporting Purposes	
EEO-4 (State & Local Governments)	EEO-1 (Private Sector)
1) Officials and Administrators	1) Officials and Managers (a) Executive/Senior Level (b) First/Mid-Level
2) Professionals	2) Professionals
3) Technicians	3) Technicians
4) Protective Service Workers	
5) Paraprofessionals	
6) Administrative Support Workers -(Including Clerical and Sales)	4) Sales Workers 5) Administrative Support Workers
7) Skilled Craft Workers	6) Craft Workers
	7) Operatives
	8) Laborers and Helpers
8) Service-Maintenance	9) Service Workers

Source: Federal Equal Employment Opportunity Commission instructional booklets.

The former Director of Compensation told us that the County was not adopting the EEO-1 classification system fully, that the Human Resources Compensation Division was using it for benchmarking compensation. Asked if it wouldn't make more sense to benchmark EEO-4 classification data, since all state and local governments have to maintain that information, the former director said that when she attends conferences, people are using EEO-1 classifications. The former director said EEO-1 was a "more holistic approach, the data is cleaner." The former director further stated that there are considerable problems with the EEO-4 data in the Ceridian system. She said the EEO-1 data was being used in preparation for use in a planned Ceridian

module that will be used by the Compensation Division but will interface with HPW, the County's Ceridian payroll module.

The County Director of Employee Benefits indicated that EEO-1 job categories are used by the major national compensation surveys and is useful information for the County's Compensation Division.

The County Director of Employee Benefits, currently serving in the additional capacity of Interim Director of Compensation, indicated that EEO-1 job categories are used by the major national compensation surveys and is useful information for the County's Compensation Division. He pointed out that the County competes in the same labor market as the private sector for many positions. He also stated that the County must maintain accurate EEO-4 data for mandatory federal reporting requirements.

We surveyed the EEO data collection practices of seven other Wisconsin counties, as well as six counties nationwide that are similar in population to Milwaukee County. None of the counties surveyed collect, maintain or report EEO-1 data.

We surveyed the EEO data collection practices of seven other Wisconsin counties, as well as six counties nationwide that are similar in population to Milwaukee County. All of the counties surveyed collect, maintain and report federally-mandated EEO-4 data. None of the counties surveyed collect, maintain or report EEO-1 data.

We confirmed with staff in the Compensation Division that, throughout the JEQ project, the EEO-1 job categories have been assigned only on paper and that all County positions in the HPW system retain EEO-4 job categories. However, a menu of job groups contained in HPW designed to 'roll up' into the broader EEO-4 job categories pertain to EEO-1 job categories. For instance, one of the job groups contained in HPW is 'Factory Supervisor.'

During the course of audit work, managers within the Office of the Comptroller's Payroll Division and the Human Resources Compensation Division recognized and concurred that a coordinated clean-up of Milwaukee County EEO data is needed. Complicating matters further, we recently confirmed that at least one major County department, and possibly more, continue to

The federal government has announced that it

use a document that records racial/ethnicity data for new hires using the 7-category EEO-1 classification system, thus perpetuating EEO-4 reporting errors.

The federal government has announced that it will adopt the EEO-1 expanded racial/ethnic categories (but not the job categories structure) to all reporting entities, including State and Local Governments, in the near future. As a result, Milwaukee County will need to remain vigilant in monitoring this eventuality and ensure that its data collection and reporting capabilities are consistent with federal mandates.

Section 3: Milwaukee County’s overall fulltime workforce is more diverse than GMIA’s; there is wide variation in workforce diversity among fulltime staff in major County departments.

According to the U.S. Census Bureau, the EEO Tabulation has been used for more than five decades as the primary external benchmark for comparing the race, ethnicity, and sex composition of an organization’s internal workforce, and the analogous external labor market.

A key benchmark used by the federal government to evaluate employers’ adherence to affirmative action plans and commitment to fair personnel practices is the percentage of minority and women workers in the Relevant Labor Market (RLM) for an employer. According to the U.S. Census Bureau, the Equal Employment Opportunity Tabulation has been used for more than five decades as the primary external benchmark for comparing the race, ethnicity, and sex composition of an organization’s internal workforce, and the analogous external labor market, within a particular geography and job category, including the use by organizations to develop and update their affirmative action plans.

The most recent EEO Tabulation includes the Census Bureau’s 5-year American Community Survey data for the period 2006–2010. The EEO Tabulation is sponsored by four federal agencies or sub-divisions within those agencies:

- Equal Employment Opportunity Commission;
- Department of Justice;
- Department of Labor; and
- Office of Personnel Management.

The EEO Tabulation includes five geographic levels: nations, states, metropolitan areas, counties, and places.

The Relevant Labor Market consists of those individuals in the civilian labor force between the ages of 16 and 65 who are employed or actively seeking employment, are U.S. citizens, and who reside in the area from which the employer commonly attracts candidates. With some exceptions for specialized

executive-level positions, Milwaukee County's Relevant Labor Market is generally identified as Milwaukee County. Until July 2013, Milwaukee County enforced a residency requirement for most employees, with a relatively small number of exceptions consisting of positions for which recruitments were difficult. Effective July 2, 2013, such residency requirements were nullified by §66.052(3)(b), Wis. Stats.

Arguably, Milwaukee County's Relevant Labor Market could be viewed as the federal Metropolitan Statistical Area (formerly known as the Standard Metropolitan Statistical Area) comprising the counties of Milwaukee, Ozaukee, Washington and Waukesha. However, given the longstanding history of the County's residency requirement and its core mission of serving and representing County residents, we selected Milwaukee County as the Relevant Labor Market benchmark for this review. Accordingly, we based our calculations and comparisons on the EEO Tabulation 2006-2010, State and Local Government Job Groups by Sex and Race/Ethnicity for Residence Geography, with a Universe of Civilian labor force of 16 years and over who are U.S. citizens for Milwaukee County, Wisconsin.

In addition to specific Civil Rights enforcement purposes, the Relevant Labor Market can be used to:

- Assess an employer's level of diversity in relation to its local labor market;
- Establish reasonable goals for minority and women workforce composition based on availability of those groups in various categories of job classifications within the labor market; and
- Measure progress in attaining established goals.

For year-end 2013, data show Milwaukee County's fulltime workforce was more diverse in total percentage of minority and women participation than its Relevant Labor Market, while at GMIA, there was less workforce diversity.

Table 4 compares the percentage of minority and women workers in Milwaukee County's Relevant Labor Market with both the countywide fulltime workforce and GMIA's fulltime workforce in 2013.

Race/Ethnicity	RLM		Countywide		GMIA	
American Indian or Alaskan	4,249	0.9%	26	0.7%	3	1.2%
Asian or Pacific Islander	10,529	2.4%	62	1.7%	1	0.4%
Black (Not of Hispanic)	103,395	23.1%	1,183	31.7%	54	21.7%
Hispanic	31,800	7.1%	214	5.7%	14	5.6%
White (Not of Hispanic)	297,955	66.5%	2,246	60.2%	177	71.1%
Total	447,928	100.0%	3,731	100.0%	249	100.0%
Total Minority	149,973	33.5%	1,485	39.8%	72	28.9%
White	297,955	66.5%	2,246	60.2%	177	71.1%
Total	447,928	100.0%	3,731	100.0%	249	100.0%
Male	220,218	49.2%	1,787	47.9%	199	79.9%
Female	227,710	50.8%	1,944	52.1%	50	20.1%
Total	447,928	100.0%	3,731	100.0%	249	100.0%

Notes: RLM = Relevant Labor Market
GMIA = General Mitchell International Airport
Numbers may not add due to rounding.

Source: U.S. Census Bureau RLM from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average (minor adjustments made for presentation purposes). Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

The same data show a wide variation in workforce diversity among various County departments and within different job classifications.

The data in **Table 5** provide examples of Milwaukee County's wide variation in workforce diversity among different departments. Additional examples are presented as **Exhibit 3**.

**Table 5
2013 Workforce Diversity
of Select County Departments**

Race/Ethnicity	GMIA		Parks		BHD		DA		DHHS	
American Indian or Alaskan	3	1.2%	1	0.5%	3	0.6%	2	1.5%	2	0.6%
Asian or Pacific Islander	1	0.4%	0	0.0%	20	4.0%	3	2.2%	1	0.3%
Black (Not of Hispanic)	54	21.7%	10	5.2%	171	34.3%	43	31.4%	154	49.4%
Hispanic	14	5.6%	9	4.7%	19	3.8%	9	6.6%	22	7.1%
White (Not of Hispanic)	177	71.1%	173	89.6%	285	57.2%	80	58.4%	133	42.6%
Total	249	100.0%	193	100.0%	498	100.0%	137	100.0%	312	100.0%
Total Minority	72	28.9%	20	10.4%	213	42.8%	57	41.6%	179	57.4%
White	177	71.1%	173	89.6%	285	57.2%	80	58.4%	133	42.6%
Total	249	100.0%	193	100.0%	498	100.0%	137	100.0%	312	100.0%
Male	199	79.9%	144	74.6%	126	25.3%	26	19.0%	120	38.5%
Female	50	20.1%	49	25.4%	372	74.7%	111	81.0%	192	61.5%
Total	249	100.0%	193	100.0%	498	100.0%	137	100.0%	312	100.0%

Notes: RLM = Relevant Labor Market
GMIA = General Mitchell International Airport
Numbers may not add due to rounding.

Source: U.S. Census Bureau RLM from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average (minor adjustments made for presentation purposes). Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

One explanation for variations in gender diversity among departments within Milwaukee County workforce is the prevalence of certain categories of jobs traditionally dominated by one or the other gender. As previously noted, the following job categories have been established as a framework for state and local governments to collect and report workforce demographic information. These EEO-4 job categories along with descriptive language and some examples included in a

federal instructional booklet designed to provide guidance in classifying local government positions, are as follows:

- **Officials and Administrators.** Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operation, or provide specialized consultation on a regional, district or area basis. Examples include department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, wardens, superintendents, sheriffs, as well as police and fire chiefs and inspectors, among others.
- **Professionals.** Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Examples include personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, as well as police and fire captains and lieutenants, among others.
- **Technicians.** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Examples include computer programmers, drafters, survey and mapping technicians, licensed practical nurses, high technicians, technicians (medical, dental, electronic, physical sciences), police and fire sergeants, and production inspectors, among others.
- **Protective Service Workers.** Occupations in which workers are entrusted with public safety, security and protection from destructive forces. Includes police patrol officers, firefighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, game and fish wardens and park rangers (except maintenance), among others.
- **Paraprofessionals.** Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. This category includes research assistants, medical aides, child support workers, recreation assistants, home health aides, as well as library assistants and clerks, among others.

- **Administrative Support (Including Clerical and Sales).** Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Examples include bookkeepers, messengers, clerk-typists, stenographers, payroll clerks, telephone operators, cashiers, and toll collectors, among others.
- **Skilled Craft Workers.** Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Examples include mechanics, electricians, heavy equipment operators, stationary engineers, carpenters, power plant operators, and water and sewage treatment plant operators, among others.
- **Service-Maintenance.** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Examples include laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, park rangers (maintenance), custodial employees, gardeners and groundskeepers, refuse collectors and construction laborers, among others.

For illustrative purposes, **Table 6** provides the percentage of fulltime workers within each EEO-4 job category for the County as a whole as well as for GMIA and three other County departments. Additional examples of Milwaukee County departmental workforce compositions are presented as **Exhibit 4**.

Table 6
2013 Fulltime Workforce Composition of
Milwaukee County and Select County Departments
by EEO-4 Job Categories

EEO-4 Classification	Countywide		GMIA		Parks		BHD		DA	
Officials and Administrators - 1	217	5.8%	7	2.8%	8	4.1%	32	6.4%	2	1.5%
Professionals - 2	885	23.7%	25	10.0%	35	18.1%	232	46.6%	45	32.8%
Technicians - 3	119	3.2%	3	1.2%	0	0.0%	31	6.2%	3	2.2%
Protective Service Workers - 4	942	25.2%	54	21.7%	0	0.0%	0	0.0%	12	8.8%
Paraprofessionals - 5	248	6.6%	0	0.0%	3	1.6%	90	18.1%	17	12.4%
Adm. Support - 6	725	19.4%	10	4.0%	10	5.2%	93	18.7%	58	42.3%
Skilled Craft Workers - 7	158	4.2%	39	15.7%	24	12.4%	0	0.0%	0	0.0%
Service-Maintenance - 8	437	11.7%	111	44.6%	113	58.5%	20	4.0%	0	0.0%
Total	3,731	100.0%	249	100.0%	193	100.0%	498	100.0%	137	100.0%

Notes: GMIA = General Mitchell International Airport; BHD = Behavioral Health Division; DA = Districe Attorney's Office
Numbers may not add due to rounding.

Source: Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

An assessment tool used to establish and monitor progress in achieving affirmative action goals provides context to some of the variation in workforce diversity among County departments.

The State of Florida's Division of Human Resource Management describes three analytical methods to compare the actual percentage of minorities and females within an agency's workforce with their availability in the Relevant Labor Market. These same methods are approved by the U.S. Department of Labor.

The State of Florida's Division of Human Resource Management, Department of Management Services, describes three analytical methods to compare the actual percentage of minorities and females within an agency's workforce with their availability in the Relevant Labor Market in its *Affirmative Action Planning Guide (March 2011)*. [Note: The guide contains a fourth method that is a more complex analysis using statistical standard deviation techniques and is not discussed in this report.] These same methods are approved in the U.S. Department of Labor's *Technical Assistance Guide for Federal Supply and Service Contractors*.

The following descriptions are contained in the Florida guide.

- **Any Difference Rule.** Underutilization is declared whenever the number of minorities or females in an EEO group is less

than the expected number based on availability. Under this rule, **0.2%** of a person short is considered underutilization.

- **One Whole Person Rule.** Under this method, underutilization is declared when an EEO group's availability exceeds the current workforce within that group by one or more persons. This rule is based on the premise that the employer cannot recruit less than a whole person.
- **80% of Availability Rule.** This rule is sometimes referred to as the 4/5ths Rule, Impact Ratio Analysis, or Disparate Impact Testing. Underutilization is declared when the rate of utilization is less than 80% of an EEO group's availability.

Application of these methods yields data that can be used as a starting point from which to focus efforts to encourage and monitor workforce diversity at GMIA and other County departments. The methods do not identify potential underlying causes or contributing factors leading to underutilization of minorities or women in the workforce, such as a lack of outreach efforts or the presence of cultural, racial or gender bias. For instance, GMIA management suggested that below-market pay scales negatively impact its ability to attract qualified minority candidates for certain positions.

Minority workers in the aggregate are clearly underutilized in four GMIA job categories.

To illustrate application of the three methods and to highlight those job categories in which GMIA's workforce is clearly lacking diversity, we applied all three analytical methods to seven of the eight EEO-4 job categories to GMIA's fulltime workforce as of year-end 2013. *[Note: The Paraprofessional job category was not analyzed because the 2006-2010 EEO Tabulation report used to establish the County's Relevant Labor Market did not include that data.]* As shown in the following tables, GMIA's 2013 fulltime workforce reflects an underutilization of minority workers in the aggregate under each of the three distinct measurement approaches in the following four job categories:

- Professionals

- Protective Service Workers
- Skilled Craft Workers
- Service-Maintenance Workers

Table 7 shows the data for Professionals.

**Table 7
Underutilization of Minority Workers in GMIA's
Professionals EEO-4 Job Category**

	Total Employees	White	Black	Hispanic	Asian/PI	Nat. Amer./ Alaskan Nat.	Total Minority
# Employees	25	21	4	0	0	0	4
% Employees		84.0%	16.0%	0.0%	0.0%	0.0%	16.0%
% Available		78.9%	14.1%	3.7%	2.6%	0.6%	21.1%
Any Difference Rule			Yes	Yes	Yes	Yes	Yes
% Under			--	3.7%	2.6%	0.6%	5.1%
1 Whole Person Rule	4.0%		No	No	No	No	Yes
80% of Availability			2.8	0.7	0.5	0.1	4.2
80% Rule			No	Yes	Yes	Yes	Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Table 8 shows the data for Protective Service workers.

Table 8
Underutilization of Minority Workers in GMIA's
Protective Service Workers EEO-4 Job Category

	Total Employees	White	Black	Hispanic	Asian/PI	Nat. Amer./ Alaskan Nat.	Total Minority
# Employees	54	44	9	0	0	1	10
% Employees		81.5%	16.7%	0.0%	0.0%	1.9%	18.5%
% Available		63.2%	26.8%	6.5%	2.8%	0.8%	36.8%
Any Difference Rule			Yes	Yes	Yes	No	Yes
% Under			10.1%	6.5%	2.8%	--	18.3%
1 Whole Person Rule	1.9%		Yes	Yes	Yes	No	Yes
80% of Availability			11.6	2.8	1.2	0.3	15.9
80% Rule			Yes	Yes	Yes	No	Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Table 9 shows the data for Skilled Craft workers.

Table 9
Underutilization of Minority Workers in GMIA's
Skilled Craft Workers EEO-4 Job Category

	Total Employees	White	Black	Hispanic	Asian/PI	Nat. Amer./ Alaskan Nat.	Total Minority
# Employees	39	34	4	1	0	0	5
% Employees		87.2%	10.3%	2.6%	0.0%	0.0%	12.8%
% Available		73.9%	15.4%	7.7%	2.2%	0.9%	26.2%
Any Difference Rule			Yes	Yes	Yes	Yes	Yes
% Under			5.1%	5.1%	2.2%	0.9%	13.4%
1 Whole Person Rule	2.6%		Yes	Yes	No	No	Yes
80% of Availability			4.8	2.4	0.7	0.3	8.2
80% Rule			Yes	Yes	Yes	Yes	Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Table 10 shows the data for Service-Maintenance workers

Table 10
Underutilization of Minority Workers in GMIA's
Service-Maintenance Workers EEO-4 Job Category

	Total Employees	White	Black	Hispanic	Asian/PI	Nat. Amer./ Alaskan Nat.	Total Minority
# Employees	111	64	34	10	1	2	47
% Employees		57.7%	30.6%	9.0%	0.9%	1.8%	42.3%
% Available		66.4%	23.6%	7.5%	1.7%	0.8%	33.6%
Any Difference Rule			No	No	Yes	No	No
% Under			--	--	0.8%	--	--
1 Whole Person Rule	0.9%		No	No	No	No	No
80% of Availability			21.0	6.7	1.5	0.7	29.8
80% Rule			No	No	Yes	No	No

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

We performed the same type of analysis Countywide. Based on year-end 2013 data, the fulltime County workforce reflects an underutilization of minority workers in the aggregate under each of the three distinct measurement approaches in two job categories:

- Skilled Craft Workers
- Service-Maintenance Workers

Table 11 shows the data for Skilled Craft workers.

Table 11
Underutilization of Minority Workers in Milwaukee County's
Skilled Craft Workers EEO-4 Job Category

	Total Employees	White	Black	Hispanic	Asian/PI	Nat. Amer./ Alaskan Nat.	Total Minority
# Employees	158	139	11	7	0	1	19
% Employees		88.0%	7.0%	4.4%	0.0%	0.6%	12.0%
% Available		73.9%	15.4%	7.7%	2.2%	0.9%	26.2%
Any Difference Rule			Yes	Yes	Yes	Yes	Yes
% Under			8.4%	3.3%	2.2%	0.3%	14.2%
1 Whole Person Rule	0.6%		Yes	Yes	Yes	Yes	Yes
80% of Availability			19.5	9.7	2.8	1.1	33.1
80% Rule			Yes	Yes	Yes	Yes	Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Table 12 shows the data for Service-Maintenance workers

Table 12
Underutilization of Minority Workers in Milwaukee County's
Service-Maintenance Workers EEO-4 Job Category

	Total Employees	White	Black	Hispanic	Asian/PI	Nat. Amer./ Alaskan Nat.	Total Minority
# Employees	437	308	90	32	1	6	129
% Employees		70.5%	20.6%	7.3%	0.2%	1.4%	29.5%
% Available		52.6%	33.0%	10.0%	2.8%	1.6%	47.4%
Any Difference Rule			Yes	Yes	Yes	No	Yes
% Under			12.4%	2.7%	2.6%	0.2%	17.9%
1 Whole Person Rule	0.2%		Yes	Yes	Yes	Yes	Yes
80% of Availability			115.4	35.0	9.8	5.6	165.7
80% Rule			Yes	Yes	Yes	No	Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Female workers are clearly underutilized in five GMIA job categories.

Similarly, GMIA's 2013 fulltime workforce reflects an underutilization of female workers under each of the three distinct measurement approaches in the following five job categories:

- Professionals
- Technicians
- Protective Service Workers
- Skilled Crafts Workers
- Service-Maintenance Workers

Table 13 shows the data for Professionals

	Total Employees	Male	Female
# Employees	25	15	10
% Employees		60.0%	40.0%
% Available		41.1%	58.9%
Any Difference Rule			Yes
% Under			18.9%
1 Whole Person Rule	4.0%		Yes
80% of Availability			11.8
80% Rule			Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Table 14 shows the data for Technicians. The small number of Technician positions at GMIA illustrates the importance of considering the level at which an organization establishes and monitors workforce diversity goals. Applying the underutilization

methods described in this report to organizational units with a very small number of positions within individual EEO job categories can effectively render goals established on the basis of the percentage of minority and women available in the Relevant Labor Market meaningless. For instance, referring back to **Table 6** of this report, it is a matter of practicality that there would be many more opportunities to pursue and achieve racial/ethnic and gender diversity among the 119 Technician positions occupied within the County's fulltime workforce than among the three Technician positions occupied within the GMIA fulltime workforce.

Table 14
Underutilization of Women Workers in GMIA's
Technicians EEO-4 Job Category

	Total Employees	Male	Female
# Employees	3	3	0
% Employees		100.0%	0.0%
% Available		39.8%	60.2%
Any Difference Rule			Yes
% Under			60.2%
1 Whole Person Rule	33.3%		Yes
80% of Availability			1.4
80% Rule			Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Table 15 shows the data for Protective Service workers.

Table 15
Underutilization of Women Workers in GMIA's
Protective Service Workers EEO-4 Job Category

	Total Employees	Male	Female
# Employees	54	49	5
% Employees		90.7%	9.3%
% Available		76.5%	23.5%
Any Difference Rule			Yes
% Under			14.2%
1 Whole Person Rule	1.9%		Yes
80% of Availability			10.2
80% Rule			Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Table 16 shows the data for Skilled Craft workers.

Table 16
Underutilization of Women Workers in GMIA's
Skilled Craft Workers EEO-4 Job Category

	Total Employees	Male	Female
# Employees	39	38	1
% Employees		97.4%	2.6%
% Available		91.6%	8.4%
Any Difference Rule			Yes
% Under			5.8%
1 Whole Person Rule	2.6%		Yes
80% of Availability			2.6
80% Rule			Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Table 17 shows the data for Service-Maintenance workers.

Table 17
Underutilization of Women Workers in GMIA's
Service-Maintenance EEO-4 Job Category

	Total Employees	Male	Female
# Employees	111	89	22
% Employees		80.2%	19.8%
% Available		55.1%	44.9%
Any Difference Rule			Yes
% Under			25.1%
1 Whole Person Rule	0.9%		Yes
80% of Availability			39.9
80% Rule			Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Applying the same analysis Countywide, the three methods for determining underutilization show a clear underutilization of woman in two job categories:

- Skilled Craft workers.
- Service-Maintenance workers.

Table 18 shows the data for Skilled Craft workers.

Table 18
Underutilization of Women Workers in Milwaukee County's
Skilled Craft EEO-4 Job Category

	Total Employees	Male	Female
# Employees	158	153	5
% Employees		96.8%	3.2%
% Available			8.4%
Any Difference Rule			Yes
% Under			5.2%
1 Whole Person Rule	0.6%		Yes
80% of Availability			10.6
80% Rule			Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Table 19 shows the data for Service-Maintenance workers.

Table 19
Underutilization of Women Workers in Milwaukee County's
Service-Maintenance EEO-4 Job Category

	Total Employees	Male	Female
# Employees	437	369	68
% Employees		84.4%	15.6%
% Available			44.9%
Any Difference Rule			Yes
% Under			29.3%
1 Whole Person Rule	0.2%		Yes
80% of Availability			157.0
80% Rule			Yes

Note: Numbers may not add due to rounding.

Source: Availability data from EEO-CIT06R Report for Milwaukee County, 2006-2010 Average. Milwaukee County workforce data from year-end 2013 payroll records, fulltime employees only.

Section 4: Although documentation is incomplete, detailed review of available GMIA human resources data show adherence to Civil Service procedures but reflects mixed results in demonstrating an emphasis on increasing workforce diversity.

The racial and gender composition of applicants at various stages of a continuous open recruitment for Airport Maintenance Workers in 2012 and the first quarter of 2013 reflect a sufficient degree of diversity throughout the hiring process.

Our review of the results of filling 14 Airport Maintenance Worker positions in 2012 and the first quarter of 2013 showed minorities represented 50% or more of the individuals that applied and met the minimum qualifications for the position. **Table 20** shows the racial/ethnicity and gender breakout for the 408 applicants that were qualified for the position, alongside the availability of each group in the Relevant Labor Market (RLM).

**Table 20
Racial/Ethnicity and Gender Composition of Applicants
Qualified for Airport Maintenance Worker Position
in 2012-13 Continuous Job Recruitment**

	Number		
	Qualified	%	RLM %
White	190	46.6%	52.6%
Black	158	38.7%	33.0%
Hispanic	41	10.0%	10.0%
Asian or Pacific Islander	3	0.7%	2.8%
Am. Indian or Native Alaskan	3	0.7%	1.6%
Unknown	13	3.2%	
Total	408	100.0%	100.0%
Total Minority	205	50.2%	47.4%
Female	29	7.1%	44.9%

Note: Numbers may not add due to rounding.

Source: Milwaukee County Ceridian Human Resources Information System (HRIS).

The data in **Table 20** show there were an ample supply of minority applicants qualified for the position relative to their presence in the RLM, while qualified female applicants fell far short of their availability.

Table 21 shows the racial/ethnic and gender composition of the 14 Airport Maintenance Workers hired from continuous recruitment during 2012 and the first quarter of 2013. While the total number of hires from minority racial/ethnic groups exceeded their relative presence in the RLM, the number of females hired, was slightly less than half of their availability based on the RLM.

Table 21
Racial/Ethnicity and Gender Composition of 14
Airport Maintenance Workers Hired from
Continuous Recruitment in 2012-13

	Number		
	Hired	%	RLM %
White	6	42.9%	52.6%
Black	7	50.0%	33.0%
Hispanic	1	7.1%	10.0%
Asian or Pacific Islander	0	0.0%	2.8%
Am. Indian or Native Alaskan	0	0.0%	1.6%
Total	14	100.0%	100.0%
Total Minority	8	57.1%	47.4%
Female	3	21.4%	44.9%

Source: Milwaukee County Ceridian Human Resources Information System (HRIS).

As a result of the departure of four minority employees, the racial/ethnic composition of the 10 current Airport Maintenance Workers is less diverse than the 14 hires from GMIA’s continuous recruitment.

However, of the 14 employees hired during the period reviewed, four—all minority males—are no longer employed by Milwaukee County. Three of the four were discharged during the probationary period, and one resigned. As a result, the racial/ethnic composition of the 10 remaining Airport Maintenance Workers is less diverse than the 14 hires from GMIA’s continuous recruitment. This data is shown in **Table 22**.

**Table 22
Racial/Ethnicity and Gender Composition of 10
Currently Employed Airport Maintenance Workers
From Continuous Recruitment in 2012-13**

	Number		
	Hired	%	RLM %
White	6	60.0%	52.6%
Black	3	30.0%	33.0%
Hispanic	1	10.0%	10.0%
Asian or Pacific Islander	0	0.0%	2.8%
Am. Indian or Native Alaskan	0	0.0%	1.6%
Total	10	100.0%	100.0%
Total Minority	4	40.0%	47.4%
Female	3	30.0%	44.9%

Source: Milwaukee County Ceridian Human Resources Information System (HRIS).

The data from our review of the continuous recruitment of Airport Maintenance Workers during the period 2012 through the first quarter of 2013 reflects a concerted effort on the part of GMIA management to hire minorities and females. However, retention of targeted groups is also an important component of maintaining a diverse workforce.

The data from our review of the continuous recruitment of Airport Maintenance Workers during the period 2012 through the first quarter of 2013 reflects a concerted effort on the part of GMIA management to hire minorities and females. However, as demonstrated from this review, retention of targeted groups is also an important component of maintaining a diverse workforce. GMIA management offered reasonable justification for the dismissals. We raise this issue in the context of considering not only hiring practices, but retention strategies, when developing comprehensive workforce diversity objectives.

Documentation of hiring decisions made at the field level was not well organized or complete. While management appears to have attempted to increase minority and female hiring, interviews suggest there was little or no discussion of goals or strategies to increase the diversity of Airport Maintenance Workers, at either the field level, or at the Human Resources departmental or central office levels.

GMIA management told us that there is an effort on management's part to make sure GMIA has a diverse workforce that is reflective of the community. The data from our review of the Airport Maintenance Worker continuous recruitment supports

that statement. However, GMIA management also said there was little support from the Human Resources Department in working through the hiring process, particularly during 2012, which preceded the addition of a Human Resources Generalist assigned exclusively to GMIA.

During our examination of the 2012-2013 continuous recruitment for Airport Maintenance Workers, we found the organization, completeness and detail of documentation for several key steps in the process to be lacking.

During our examination of the 2012-2013 continuous recruitment for Airport Maintenance Workers, we found the organization, completeness and detail of documentation for several key steps in the process to be lacking.

For instance, we were unable to find a definitive list of certified candidates from which Airport Maintenance selected individuals. Rather, we had to reconstruct that list from the Human Resources Information System and e-mails sent from Human Resources personnel to GMIA management.

We were also unable to discern, in complete form, all candidates contacted for interviews from the certified list. Nor was there a comprehensive record of standard questions asked of candidates interviewed, and their responses.

In 2013, the Human Resources Generalist was hired to assist the Human Resources Coordinator assigned to the Department of Transportation. The Generalist is in the process of establishing clear guidance on the hiring process for GMIA managers, including modifying interview questions and providing clear guidelines on document retention.

None of the 17 promotions within the GMIA workforce in those two years were granted to a minority employee.

The data in 2012 and 2013 reflects a lack of diversity in both racial/ethnicity and gender categories with respect to promotions within the GMIA workforce. In 2012, nine of the departmental promotions were non-minorities, with one female representing 11 percent. In 2013, all eight of the departmental promotions were non-minorities, with two females representing 25 percent. This data is presented in **Table 23**.

**Table 23
Racial/Ethnicity and Gender Composition of 17
Promotions at GMIA in 2012-13**

	Number of Promotions					
	2012	%	2013	%	Combined	%
White	8	100.0%	9	100.0%	17	100.0%
Black	0	0.0%	0	0.0%	0	0.0%
Hispanic	0	0.0%	0	0.0%	0	0.0%
Asian or Pacific Islander	0	0.0%	0	0.0%	0	0.0%
Am. Indian or Native Alaskan	0	0.0%	0	0.0%	0	0.0%
Total	8	100.0%	9	100.0%	17	100.0%
Total Minority	0	0.0%	0	0.0%	0	0.0%
Female	2	25.0%	1	11.1%	3	17.6%

Source: Milwaukee County Ceridian Human Resources Information System (HRIS).

GMIA management noted there were limited instances in which minority or women workers qualified for advancement. We did not evaluate the merits of promotions or terminations at GMIA. There are prescribed remedies for individuals that believe they were the object of unfair personnel actions.

We emphasize that our audit did not include an evaluation of the merits of either promotions or terminations at GMIA. GMIA management noted that for the 17 promotions included in our two-year review period, there were limited instances in which minority or women workers qualified for advancement. Further, there are prescribed remedies for individuals that believe they were the object of unfair personnel actions, including appeals to the Milwaukee County Personnel Review Board for wrongful termination and complaints to the Equal Rights Division of the State Department of Workforce Development or federal Equal Employment Opportunity Commission for discriminatory personnel actions. We reviewed GMIA records associated with

those avenues of remedy for employees and discuss that information later in this report section.

The data showing the lack of minority and female promotions at GMIA provide another example of an important metric that should be considered in the development of a comprehensive workforce development objective.

Staff turnover data for 2012 and 2013 show GMIA turnover rates are lower than the Countywide average and well within turnover rate ranges of other major County departments.

Excessive staff turnover rates can be an indication of low staff morale or other issues reflective of a poor working environment. We measured staff turnover rates for Milwaukee County's fulltime workforce for both 2012 and 2013. The rates are calculated by taking the total number of fulltime employee terminations for the year and dividing by the average number of fulltime employees in the workforce during the year. As shown in **Table 24**, GMIA's staff turnover rate was lower than the Countywide average in both years, and well within the range of turnover rates calculated for other major County departments.

Table 24
Staff Turnover Rates for Major County Departments
2012 and 2013

Department	2012 Rate	2013 Rate
Behavioral Health Division	15.6%	18.3%
District Attorney's Office	9.0%	10.7%
General Mitchell International Airport	10.5%	6.9%
Dept. of Health & Human Services	9.1%	9.6%
Department of Human Resources	16.6%	14.0%
Department of Parks	8.6%	7.2%
Milwaukee County Average	13.7%	12.2%

Source: Calculated from Ceridian monthly personnel action reports, January 2012 through December 2013.

None of the 70 discrimination complaints against Milwaukee County filed with the Equal Employment Opportunity Commission or the Equal Rights Division of the State Department of Workforce Development in 2012 and 2013 involved employees or management at GMIA.

When an employee or citizen files a discrimination complaint against Milwaukee County with either the Equal Employment Opportunity Commission or the Equal Rights Division of the State Department of Workforce Development, the County has a limited number of days (typically 30 to 45 days, but often involving extensions) to respond to the agency. At that time the agency conducts any additional investigation it desires and ultimately reaches an administrative determination. Our review of discrimination complaints filed with state and federal agencies for 2012 and 2013 showed there were 70 claims involving 33 complainants filed during that period. None of the 70 claims involved personnel actions at GMIA. **Table 25** provides a listing

of the County departments involved in the 70 cases during that two-year period.

Table 25
Number of Equal Employment Opportunity Claims
Filed in 2012–2013, by County Department

Department	Claims
Office of the Sheriff	23
Behavioral Health Division	13
Department of Health & Human Services	9
Department of Family Care	5
House of Correction	5
Information Management Systems Division	4
Child Support Enforcement	2
Facilities Management Division	2
Department of Parks, Recreation & Culture	2
Housing and Community Development Division	2
Circuit Courts-Probate	1
Department of Human Resources	1
Zoological Department	<u>1</u>
Total 2012 & 2013	70

Source: Records maintained by the Milwaukee County Office of Corporation Counsel.

A review of the limited number of GMIA personnel disciplinary actions appealed before the Personnel Review Board in 2012 and 2013 showed no pattern of reductions or reversals that would suggest racial or gender bias on the part of GMIA management.

As a result of the limited number of employees involved, it is difficult to discern any potential racial or gender bias in those disciplinary actions based on proportionality with the racial/ethnicity or gender composition of the entire GMIA workforce.

Data from the Milwaukee County Personnel Review Board (PRB) shows a limited number of GMIA personnel disciplinary actions appealed to the PRB in 2012 and 2013. In 2012, three GMIA employees appealed disciplinary actions to the PRB; in 2013, nine GMIA employees (including one of the three included in the 2012 data) appealed disciplinary actions to the PRB. As a result of the limited number of employees involved, it is difficult to discern any potential racial or gender bias in those disciplinary actions based on proportionality with the racial/ethnicity or gender composition of the entire GMIA workforce.

However, analyzing the data in several ways does not present a pattern of PRB reductions or reversals that would suggest a racial or gender bias on the part of GMIA management.

Table 26 presents the combined 2012 and 2013 data by individual, and by type of disciplinary action appealed (e.g., termination or suspension).

Table 26
GMIA Disciplinary Actions Appealed
by Individual Employee, by Action
2012 and 2013 Combined

Action	Employees	White	%	Minority	%	Female*	%
Discharge	6	4	66.7%	2	33.3%	1	16.7%
Suspension	4	2	50.0%	2	50.0%	0	0.0%
Grievance	1	1	100.0%	0	0.0%	0	0.0%
Total Employees	11	7	63.6%	4	36.4%	1	9.1%

*Note: Female data also included in racial category.

Source: Milwaukee County Personnel Review Board internal database.

Table 27 shows the data by number of unique personnel actions. For instance, one employee appealed five unique instances of suspensions issued by GMIA management in 2013.

Table 27
GMIA Disciplinary Actions Appealed
by Number of Cases, by Action
2012 and 2013 Combined

Action	Cases	White	%	Minority	%	Female*	%
Discharge	8	6	75.0%	2	25.0%	1	12.5%
Suspension	10	4	40.0%	6	60.0%	0	0.0%
Grievance	1	1	100.0%	0	0.0%	0	0.0%
Total Cases	19	11	57.9%	8	42.1%	1	5.3%

*Note: Female data also included in racial category.

Source: Milwaukee County Personnel Review Board internal database.

Overall, GMIA management disciplinary actions appealed by employees to the PRB in 2012 and 2013 were sustained, or achieved in effect, in 76.5% of the cases.

Overall, GMIA management disciplinary actions appealed by employees to the PRB in 2012 and 2013 were sustained or achieved in effect in 76.5% of the cases. For instance, if the personnel action was discharge and the employee, after appealing the discharge, instead resigned or retired from County employment, the discharge was, in effect, achieved. **Table 28** shows this data.

**Table 28
GMIA Disciplinary Actions Appealed
Case Disposition
2012 and 2013 Combined**

<u>Action</u>	<u>Cases</u>	<u>White</u>	<u>%</u>	<u>Minority</u>	<u>%</u>	<u>Female*</u>	<u>%</u>
Discharge	8	6	75.0%	2	25.0%	1	12.5%
Sustained or Achieved In Effect	3	2		1			
Reduced or Oral/Written Agreement	3	2		1		1	
Dismissed	1	1					
Pending	1	1					
Suspension	10	4	40.0%	6	60.0%	0	0.0%
Sustained or Appeal Withdrawn	10	4		6			
Reduced	0						
Dismissed	0						
Grievance	1	1	100.0%	0	0.0%	0	0.0%
Dismissed--(No Jurisdiction)	1	1					
Total Cases	19	11	57.9%	8	42.1%	1	5.3%
Sustained or Achieved in Effect	13	6		7		0	
Reduced	3	2		1		1	
Dismissed	2	2					
Pending	1	1					

Total Cases Determined**	17
Total Cases Sustained or Achieved in Effect	13
% of Cases Sustained or Achieved in Effect	76.5%

*Note: Female data also included in racial category.

**Excludes pending discharge case and grievance case dismissed due to lack of jurisdiction.

Source: Milwaukee County Personnel Review Board internal database.

Section 5: Conclusions and Recommendations.

Although this audit began with a focus on personnel practices with respect to workforce diversity at General Mitchell International Airport, many of our findings and recommendations are Countywide in scope. Following is a recap of our conclusions and several recommendations designed to address issues raised in the report.

Conclusions

Milwaukee County does not have a contemporary, comprehensive workforce diversity policy.

Earlier this year, the Department of Human Resources worked with departmental diversity committees and the Office of the County Executive to draft a mission statement and goals to guide ongoing activities for the remainder of 2014. This effort forms the foundation for addressing many of the issues of concern identified in this report.

Milwaukee County has experienced problems with the collection and maintenance of data necessary to accurately report and effectively analyze and manage issues relating to workforce diversity.

The County's 2007 conversion to its current Ceridian Human Resources management information system created problems affecting its ability to manage workforce diversity issues. Subsequent corrective measures have been ad hoc, limited in scope and have lacked an overall policy initiative to fashion a cohesive workforce diversity objective.

Milwaukee County's overall fulltime workforce is more diverse than GMIA's; there is wide variation in workforce diversity among fulltime staff in major County departments..

For year-end 2013, data show Milwaukee County's fulltime workforce was more diverse in total percentage of minority and

women participation than its Relevant Labor Market, while at GMIA, there was less workforce diversity.

Minority workers in the aggregate are clearly underutilized in four GMIA job categories, and female workers are clearly underutilized in five GMIA job categories.

Although documentation was incomplete, detailed review of available GMIA human resources data show adherence to Civil Service procedures but reflects mixed results in demonstrating an emphasis on increasing workforce diversity.

GMIA management told us that there is an effort on management's part to make sure GMIA has a diverse workforce that is reflective of the community. The data from our review of the Airport Maintenance Worker continuous recruitment supports that statement. However, we found the organization, completeness and detail of documentation for several key steps in the process to be lacking.

None of the 17 promotions within the GMIA workforce in 2012 and 2013 were granted to a minority employee. GMIA management noted that for the 17 promotions included in our two-year review period, there were limited instances in which minority or women workers qualified for advancement.

However, none of the 70 discrimination complaints against Milwaukee County filed with the Equal Employment Opportunity Commission or the Equal Rights Division of the State Department of Workforce Development in 2012 and 2013 involved employees or management at GMIA. And a review of the limited number of GMIA personnel disciplinary actions appealed before the Personnel Review Board in 2012 and 2013 showed no pattern of reductions or reversals that would suggest racial or gender bias on the part of GMIA management.

Recommendations

DHR management should build on its current efforts to develop a Diversity Committee mission statement by developing of a comprehensive Milwaukee County workforce diversity policy.

In developing an updated, contemporary workforce diversity policy for Milwaukee County, DHR management should address, at a minimum, the following issues identified in this report:

1. *Proper classification of Milwaukee County's positions into appropriate EEO-4 job categories, based on consistent application of criteria established with meaningful input from operations management.*
2. *Selection of appropriate criteria for evaluating underutilization of minority and women participation in the eight EEO-4 job categories in Milwaukee County's workforce. Three accepted methods were demonstrated in this audit. They are commonly referred to as the:*
 - Any Difference Rule;
 - One Whole Person Rule; and
 - 80% of Availability Rule.
3. *Determination of the appropriate level at which workforce diversity goals should be established and achievement monitored. This could involve viewing the County workforce in a more comprehensive manner and looking for opportunities to establish meaningful workforce diversity goals across organizational units, rather than relying on traditional departmental structures, regardless of size or workforce composition, establishing individual goals.*
4. *Establishment of a process for developing, refining and updating appropriate Relevant Labor Market data for use in establishing workforce diversity goals and monitoring achievement.*
5. *Development of strategies flowing from the County's workforce diversity policy to promote operations management's awareness, understanding and application of Milwaukee County workforce diversity principles.*

DHR management should convene a workgroup, including staff from Human Resources, Payroll and Information Technology, to address EEO data collection, maintenance and reporting issues identified in this report.

EEO data collection, maintenance and reporting problems surfaced during the County's conversion from its predecessor

payroll system, Genesys, to its current Human Resource Information System, Ceridian. Exacerbating these problems were significant staff turnover in key management positions in such areas as Information Technology, Payroll, and Human Resources. A workgroup comprising management from each of those areas should, at a minimum:

6. *Re-examine the County's process for collecting, maintaining and reporting EEO data with the express purpose of complying with applicable EEO-4 reporting requirements.*
7. *Ensure compatibility between racial/ethnicity source documents (e.g., 7-category EEO-1 vs. 5-category EEO-4 classification systems). This will also require updating if/when a pending EEOC reporting change is finalized.*
8. *Ensure compatibility of data fields and drop-down menus (e.g., current job groups, a sub-set of HPW's EEO-4 job categories, consist of EEO-1 classifications).*
9. *Ensure that, if EEO-1 data is determined to be useful for compensation benchmarking purposes, there is an automated cross-walk that avoids duplicate classification of positions and produces valid, consistent results when queried.*

DHR management should work with management at General Mitchell International Airport to devise a specific strategy to emphasize a commitment to increasing the diversity of the GMIA workforce, in both minority and female categories of employees.

In developing such a strategy, particular attention should be paid to:

10. *Working in a manner consistent with, and in harmony with, the efforts undertaken on a Countywide basis in recommendation No. 5.*
11. *Maintaining and retaining additional detail documenting steps within the hiring process at GMIA (e.g., who was contacted for an interview, questions asked during interviews, etc.).*
12. *Assigning responsibility at DHR for monitoring GMIA promotions and terminations for racial/ethnicity and gender disparities, and to discuss the results of such monitoring with GMIA management on an annual basis.*

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Audit Scope

This audit was initiated in response to a request contained in a County Board Resolution (File No. 13-97). The overall objective of this audit was to evaluate personnel practices at General Mitchell International Airport (GMIA) as they relate to the Milwaukee County's commitment to workforce diversity. Included in the overall audit objective was to identify GMIA's minority and gender hiring practices, and to include historical diversity data on GMIA promotions, termination practices, and turnover.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review to the areas specified in this Scope Section. During the course of the audit, we:

- Reviewed relevant regulations, policies, administrative procedures, budgets and resolutions including federal, state and County statutes, laws, and ordinances relating to affirmative action and workforce diversity concepts.
- Reviewed applicable federal Executive Branch actions and United States Supreme Court decisions that had significant impact with regard to racial/ethnicity quotas and affirmative action programs.
- Interviewed management staff from various County departments, including GMIA, Human Resources, and the Office of the Comptroller–Payroll Division, to obtain relevant information on the implementation of various policies and procedures, race/ethnicity and gender data collection and implementation, and employee recruitment efforts and hiring practices at GMIA.
- Analyzed data on minorities and female hires, promotions and terminations at GMIA.
- Analyzed workforce data using U.S. Census Bureau Relevant Labor Market/Equal Employment Opportunity reports, and Milwaukee County Ceridian Human Resources Information System (HRIS), including both the Human Resources Payroll Web (HPW) and the Ceridian Recruiting Solutions modules.

- Reviewed data on formal Equal Employment Opportunity claims filed against Milwaukee County departments.
- Analyzed data from the Milwaukee County Personnel Review Board (PRB) with regard to GMIA management's personnel disciplinary actions that were appealed by employees.
- Calculated various methods of underutilization of minorities and females using three analytical methods approved by the U.S. Department of Labor.
- Gathered data and interviewed key individuals from various authoritative sources including U.S. Equal Employment Opportunity Commission (EEOC), U.S. Census Bureau, and State of Wisconsin's Office of State Employment Relations.
- Surveyed other counties within Wisconsin and nationally on the collection, maintenance and reporting of federally-mandated EEO workforce data.
- Reviewed historical information from Milwaukee County on processes and procedures used to report Countywide workforce diversity and affirmative action goals.

(ITEM) A resolution by Supervisors Mayo, Johnson and Romo West authorizing and directing the Comptroller's Audit Services Division to conduct an audit of General Mitchell international Airport (GMIA) as it relates to minority and gender hiring practices, historical data, promotions, termination practices and turnover, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the 2013 Adopted Budget provides 289 County staff for GMIA; and

WHEREAS, it is vital that GMIA is reflective of the County's commitment to diversity because it is the "gateway" for persons visiting Milwaukee County for business or leisure; and

WHEREAS, questions have been raised about diversity and employment practices at GMIA; and

WHEREAS, as a means to ensure diversity is being stressed and employment practices are fair and consistent it is reasonable and prudent that an audit be conducted of employment practices at GMIA; and

WHEREAS, the Committee on Transportation, Public Works and Transit, at its meeting on January 23, 2013, recommended adoption of the said resolution (vote 7-0); and

WHEREAS, the Committee on Finance Personnel and Audit, at its meeting on January 31, 2013, also recommended adoption of the said resolution (vote 9-0) and added two cosponsors; now, therefore,``````

BE IT RESOLVED, the Milwaukee County Board of Supervisors does hereby authorize and direct the Comptroller's Audit Services Division to conduct an audit of GMIA as it relates to minority and gender hiring practices, historical data, promotions, termination practices and turnover.

**Milwaukee County Fulltime Employees' Race/Ethnicity as of Year-End 2013
Select Departments**

Race/Ethnicity	Countywide		Airport		Parks		BHD		DHR		DA		DHHS	
American Indian or Alaskan	26	0.7%	3	1.2%	1	0.5%	3	0.6%	0	0.0%	2	1.5%	2	0.6%
Asian or Pacific Islander	62	1.7%	1	0.4%	0	0.0%	20	4.0%	0	0.0%	3	2.2%	1	0.3%
Black (Not of Hispanic)	1183	31.7%	54	21.7%	10	5.2%	171	34.3%	19	35.2%	43	31.4%	154	49.4%
Hispanic	214	5.7%	14	5.6%	9	4.7%	19	3.8%	6	11.1%	9	6.6%	22	7.1%
White (Not of Hispanic)	2246	60.2%	177	71.1%	173	89.6%	285	57.2%	29	53.7%	80	58.4%	133	42.6%
Total	3,731	100.0%	249	100.0%	193	100.0%	498	100.0%	54	100.0%	137	100.0%	312	100.0%
Minority	1,485	39.8%	72	28.9%	20	10.4%	213	42.8%	25	46.3%	57	41.6%	179	57.4%
White	2,246	60.2%	177	71.1%	173	89.6%	285	57.2%	29	53.7%	80	58.4%	133	42.6%
Total	3,731	100.0%	249	100.0%	193	100.0%	498	100.0%	54	100.0%	137	100.0%	312	100.0%
Male	1787	47.9%	199	79.9%	144	74.6%	126	25.3%	12	22.2%	26	19.0%	120	38.5%
Female	1944	52.1%	50	20.1%	49	25.4%	372	74.7%	42	77.8%	111	81.0%	192	61.5%
Total	3,731	100.0%	249	100.0%	193	100.0%	498	100.0%	54	100.0%	137	100.0%	312	100.0%

Notes: Numbers may not add due to rounding.
 Airport = General Mitchell International Airport
 Parks = Department of Parks, Recreation and Culture
 BHD = Behavioral Health Division
 DHR = Department of Human Resources
 DA = District Attorney's Office
 DHHS – Department of Health and Human Services

**Milwaukee County Fulltime Workforce Composition by EEO-4 Job Classification as of Year-End 2013
Select Departments**

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EEO-4 Classification	Countywide		Airport		Parks		BHD		DHR		DA		DHHS	
Officials and Administrators - 1	217	5.8%	7	2.8%	8	4.1%	32	6.4%	9	16.7%	2	1.5%	10	3.2%
Professionals - 2	885	23.7%	25	10.0%	35	18.1%	232	46.6%	26	48.1%	45	32.8%	127	40.7%
Technicians - 3	119	3.2%	3	1.2%	0	0.0%	31	6.2%	1	1.9%	3	2.2%	9	2.9%
Protective Service Workers - 4	942	25.2%	54	21.7%	0	0.0%	0	0.0%	0	0.0%	12	8.8%	71	22.8%
Paraprofessionals - 5	248	6.6%	0	0.0%	3	1.6%	90	18.1%	0	0.0%	17	12.4%	46	14.7%
Administrative Support - 6	725	19.4%	10	4.0%	10	5.2%	93	18.7%	18	33.3%	58	42.3%	46	14.7%
Skilled Craft Workers - 7	158	4.2%	39	15.7%	24	12.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Service-Maintenance - 8	437	11.7%	111	44.6%	113	58.5%	20	4.0%	0	0.0%	0	0.0%	3	1.0%
Total	3,731	100.0%	249	100.0%	193	100.0%	498	100.0%	54	100.0%	137	100.0%	312	100.0%

Notes: Numbers may not add due to rounding.
 Airport = General Mitchell International Airport
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Milwaukee County
Department of Human Resources

DATE: August 25, 2014

TO: Jerome J. Heer, Director of Audit Services

FROM: Kerry Mitchell, Chief Human Resources Officer

SUBJECT: Management Response to the Audit of Personnel Practices at General Mitchell International Airport

The Department of Human Resources (DHR) has reviewed the audit that was performed as requested in County Board Resolution File 13-97. As related in Exhibit 1 of the Audit Report and within the authorizing resolution, the audit scope was to evaluate the personnel practices at General Mitchell International Airport (GMIA) as they relate to minority and gender hiring practices, historical data, promotions, termination practices and turnover. DHR extends its thanks to the Audit and Review teams from the Audit Services Division for their time, efforts and professionalism in conducting the audit.

We would like to emphasize that the audit request in the County Board Resolution was not directed specifically at the Department of Human Resources, although we note that the majority of the countywide recommendations in the audit are direct toward functions of DHR. Nonetheless, we value the opportunity to engage with Audit Services and GMIA, and every other functional area of this government, to enhance our services and commitment to our employees and the residents of the County.

Responses to Audit Conclusions and Recommendations

The DHR management team has reviewed Section 5: Conclusions and Recommendations and offers the following responses to each conclusion and recommendation in turn.

Conclusions

1. ***Milwaukee County does not have a contemporary, comprehensive workforce diversity policy.***

In 2012, DHR adopted and instituted the following mission statement:

“We provide quality HR services to attract, develop, motivate and retain a quality workforce ***within a diverse***, supportive, customer service-driven work environment.” (emphasis added)

As the audit report correctly notes, DHR has taken pronounced steps to not only demonstrate but actively engage our commitment to fulfilling our mission directive to create a diverse work environment. HR has also done significant work over the past 12 months with the Diversity Committee, to establish an updated vision for Diversity at Milwaukee County. The Diversity Committee continues as a countywide endeavor to further advance the County's commitment to this purpose.

- 2. Milwaukee County has experienced problems with the collection and maintenance of data necessary to accurately report and effectively analyze and manage issues relating to workforce diversity.***

DHR agrees that the implementation of countywide diversity objectives will help inform planned and future upgrades to the Ceridian Human Resources Information System (HRIS). Our current HRIS and staffing systems are sub-par technologies that we are actively seeking to replace.

- 3. Milwaukee County's overall fulltime workforce is more diverse than GMIA's; there is wide variation in workforce diversity among fulltime staff in major County departments.***

DHR generally agrees with the data used in arriving at this conclusion, and will address the underlying issue of underutilization in our responses in the 'Recommendations' section.

- 4. Although documentation was incomplete, detailed review of available GMIA human resources data show adherence to Civil Service procedures but reflects mixed results in demonstrating an emphasis on increasing workforce diversity.***

This conclusion appears to link the hiring decisions at GMIA to Civil Service procedures. We note that DHR provides departments with candidates through the Civil Service process and departments make the decision on which candidate to hire. As cited elsewhere in the audit report, comprehensive diversity objectives may help those hiring decisions, but fundamentally, the principles of Civil Service relate only to merit and fitness of candidates, and do not contemplate diversity.

Recommendations

The recommendations of Audit Services (*italicized*) and our corresponding responses follow:

- DHR management should build on its current efforts to develop a Diversity Committee mission statement by developing of a comprehensive Milwaukee County workforce diversity policy.***

In developing an updated, contemporary workforce diversity policy for Milwaukee County, DHR management should address, at a minimum, the following issues identified in this report:

- 1. Proper classification of Milwaukee County's positions into appropriate EEO-4 job categories, based on consistent application of criteria established with meaningful input from operations management.*

DHR agrees with this recommendation. HR was already tracking EEO data and reporting it in compliance with legal requirements.

- 2. Selection of appropriate criteria for evaluating underutilization of minority and women participation in the eight EEO-4 job categories in Milwaukee County's workforce. Three accepted methods were demonstrated in this audit. They are commonly referred to as the:*
 - Any Difference Rule;
 - One Whole Person Rule; and
 - 80% of Availability Rule.

DHR agrees with this recommendation.

- 3. Determination of the appropriate level at which workforce diversity goals should be established and achievement monitored. This could involve viewing the County workforce in a more comprehensive manner and looking for opportunities to establish meaningful workforce diversity goals across organizational units, rather than relying on traditional departmental structures, regardless of size or workforce composition, establishing individual goals.*

DHR agrees with this recommendation and equates the term 'comprehensive manner' to the term 'Countywide'. We found the audit report to be descriptive in differentiating between quota-based affirmative action programs and strategically driven diversity programs, particularly with regard to structuring and measuring desired outcomes. Further, for the past 2 years, DHR has attempted to acquire through the budget 1 additional FTE to manage HR metrics and compliance, with a significant focus on EEO data and diversity measurement. These requests have been denied by the County Board. We will continue to seek ways to develop new measurements, but believe both replacement systems and resources will be key to our success in this area.

- 4. Establishment of a process for developing, refining and updating appropriate Relevant Labor Market data for use in establishing workforce diversity goals and monitoring achievement.*

Relevant Labor Market data is a comprehensive source for measuring our workforce demographic against underutilization and may be useful in developing diversity goals. However, as discussed more fully in the audit report, diversity is

best measured in terms of behavior and inclusivity rather than through a numbers-oriented approach. Clearly, numbers matter, but DHR believes the most successful approach to diversity is consistent with the approach described in the next recommendation.

5. *Development of strategies flowing from the County’s workforce diversity policy to promote operations management’s awareness, understanding and application of Milwaukee County workforce diversity principles.*

DHR agrees with this recommendation. However, it should be noted that we have made significant effort to improve the retention of talent and enhance awareness and understanding of staff at all levels about maintaining a productive, supportive work environment. Below is a listing of the training opportunities that DHR launched over the past several months:

After All, You’re The Supervisor	Labor Relations Update
Civil Service Rules for Hiring	Bullying/Violence in the Workplace
Coaching With HEART	Performance Appraisal Training
Customer Service	Performance Appraisal Overview (emp)
Customer Service Recovery	Performance Appraisal Overview (mgr)
Do’s and Don’ts of Interviewing	Personality Style Inventory (PSI)
Goal Setting & Feedback	Skill vs Will Matrix
Harassment Awareness (employees)	Stress? What Stress?
Harassment Awareness (managers)	Team Building

In addition, DHR is in the process of developing a new 2015 training series called “Leadership Excellence,” aimed toward building an engaged workforce.

DHR management should convene a workgroup, including staff from Human Resources, Payroll and Information Technology, to address EEO data collection, maintenance and reporting issues identified in this report.

6. *Re-examine the County’s process for collecting, maintaining and reporting EEO data with the express purpose of complying with applicable EEO-4 reporting requirements.*
7. *Ensure compatibility between racial/ethnicity source documents (e.g., 7-category EEO-1 vs. 5-category EEO-4 classification systems). This will also require updating if/when a pending EEOC reporting change is finalized.*
8. *Ensure compatibility of data fields and drop-down menus (e.g., current job groups, a sub-set of HPW’s EEO-4 job categories, consist of EEO-1 classifications).*
9. *Ensure that, if EEO-1 data is determined to be useful for compensation benchmarking purposes, there is an automated cross-walk that avoids duplicate classification of positions and produces valid, consistent results when queried.*

DHR does not agree that it is necessary to establish yet another “workgroup” to perform a standard HR function. As mentioned earlier, what is needed is HR systems that function effectively, and the appropriate resources to manage the information. Additionally, DHR is already working closely with the Office of the Comptroller to assure the next iteration of the County’s HRIS more fully meets the needs of all of our organizational units.

DHR management should work with management at General Mitchell International Airport to devise a specific strategy to emphasize a commitment to increasing the diversity of the GMIA workforce, in both minority and female categories of employees.

In developing such a strategy, particular attention should be paid to:

10. Working in a manner consistent with, and in harmony with, the efforts undertaken on a countywide basis in recommendation No. 5.

DHR management agrees with this recommendation.

11. Maintaining and retaining additional detail documenting steps within the hiring process at GMIA (e.g., who was contacted for an interview, questions asked during interviews, etc.).

DHR agrees with this recommendation as a best practice and for compliance purposes. DHR staff will coach GMIA and other departments on maintaining appropriate documentation within the hiring process, and will encourage managers to attend the available HR training on this process.

12. Assigning responsibility at DHR for monitoring GMIA promotions and terminations for racial/ethnicity and gender disparities, and to discuss the results of such monitoring with GMIA management on an annual basis.

DHR agrees with this recommendation. As part of the effort to improve EEO record keeping and incorporating Relevant Labor Market utilization data, DHR will use this information to coach and guide departments.

Summary

Again, the Department of Human Resources welcomes the opportunity offered by this audit report to continue to engage GMIA and all Milwaukee County departments on the value of an inclusive diversity policy.



Date: August 22, 2014

To: Jerome J. Heer, Director of Audit Services

From: Terry Blue, Interim Airport Director, Department of Transportation – Airport Division

Subject: **Airport Management Response to the Audit of Personnel Practices at General Mitchell International Airport**

Airport management has reviewed the audit that was performed in accordance with County Board Resolution File 13-97. As noted in Exhibit 1 of the report, the scope of the requested audit was “to evaluate personnel practices at General Mitchell International Airport (GMIA) as they relate to the Milwaukee County’s commitment to workforce diversity. Included in the overall audit was to identify GMIA’s minority and gender hiring practices, and to include historical data on GMIA promotions, termination practices, and turnover.”

1. Milwaukee County’s overall fulltime workforce is more diverse than GMIA’s; there is a wide variation in workforce diversity among the staff in major County departments.

The audit report observes that the GMIA workforce is 10.9% less diverse by comparison to the entire County employee population. However, this may not be the most relevant comparison. For example, when GMIA is measured against the relevant labor market, the apparent discrepancy is only 4.6%. And that difference is even smaller when some of GMIA’s 249 positions that require specialized expertise are removed from the calculation.

2. Although documentation was incomplete, detailed review of available GMIA human resources data show adherence to Civil Service procedures but reflects mixed results in demonstrating an emphasis on increasing diversity.

Data contained in the audit report is flawed because it incorrectly suggests that minorities are hired at a much lower rate than the rate at which they are certified for positions. Airport staff frequently find that with positions opened for continuous recruitment like the Airport Maintenance Worker that require only a High School Diploma or GED certificate and a Commercial Driver’s License (CDL), numerous candidates are incorrectly “certified” as meeting the minimums for the position. On numerous occasions the Airport has been provided the names of certified candidates only to learn later in the hiring process that the candidates lack the education or CDL required for the position. Thus, how and

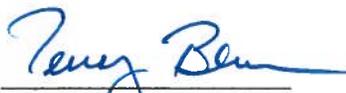
when candidates are counted as qualified for a position may be flawed thereby affecting the quality of the reporting on the backend.

In addition, although the audit report notes that “None of the promotions within the GMIA workforce in 2012 and 2013 were granted to a minority employee”, there were two specific examples in 2012 where promotional opportunities were filled with minority candidates; one male on 6-11-12 and one female on 8-6-12. These instances may not have been counted in the audit as they were listed in the system as a “transfer promotion” rather than as just a “promotion” given that the two candidates who successfully competed for these open recruitment positions transferred to the airport from other County departments. DHR management’s efforts to place a full time HR Generalist at the airport has paid significant dividends in record keeping, regulatory compliance, management coaching, and employee relations since the first day the position was filled. Finally, it is important to keep in mind two very positive conclusions contained in the audit report: (1) None of the discrimination complaints filed against Milwaukee County in 2012-13 involved GMIA, and (2) The employee turnover rate at GMIA is lower than the countywide average.

3. Recommendations

Airport management accepts the conclusions of the audit team and welcomes the recommendations. Having no concerns with the recommendations and recognizing once again that there is always room for improvement, Airport management looks forward to working with DHR and the Audit Service Division to implement the adopted recommendations. As the “gateway” for persons visiting Milwaukee County for business or leisure, GMIA management is committed to reflecting the County’s commitment to diversity.

Airport staff would like to thank the Audit Services Division for their time, effort, and consideration during this audit. Airport staff would like to further add that during this audit, the professionalism of the Audit team was second to none. Lastly, the Airport would like to thank the Department of Human Resources for their unwavering support throughout the entire process.



Terry Blue
Interim Airport Director