



U.S. Department of Justice

Office of Justice Programs

Office for Civil Rights

Washington, D.C. 20531

February 13, 2018

Ernie C. Ricketts, Ph.D.
Human Resources Director
Tennessee Bureau of Investigation
901 R.S. Gass Blvd
Nashville, TN 37216

Re: Equal Employment Opportunity Plan (EEOP) Utilization Report for Tennessee Bureau Of Investigation

Dear Mr. Ricketts, Ph.D.,

The Office for Civil Rights, Office of Justice Programs, has reviewed and approved the Equal Employment Opportunity Plan (EEOP) Utilization Report that you submitted in accordance with the grant conditions set forth by either the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), Juvenile Justice and Delinquency Prevention Act of 1974, the Victims of Crime Act of 1984 or their implementing regulations. The approval of your EEOP Utilization Report is effective for two years from the date of this letter, and satisfies the EEOP reporting requirement for all open Department of Justice (DOJ) awards during the two-year period.

Your organization may, however, have additional civil rights compliance requirements if it receives funding from grant programs other than the ones listed above. For example, if your organization is a recipient of funding from the Office on Violence Against Women (OVW), your organization's non-discrimination policies and practices should also include prohibitions on discrimination on the bases of actual or perceived sexual orientation and gender identity.

If you have any questions regarding this matter, please contact the Office for Civil Rights at (202) 307-0690.

Sincerely,

X 

Michael L. Alston

Director

Signed by: MICHAEL ALSTON

EEO Utilization Report

Organization Information

Name: Tennessee Bureau Of Investigation

City: Nashville

State: TN

Zip: 37216

Type: State Law Enforcement

Step 1: Introductory Information

Policy Statement:

It is the policy of the TBI to provide equal employment opportunity for all qualified persons, without discrimination because of race, color, religion, sex, national origin, age, disabilities, or veterans status, and to promote a positive, continuing program designed to achieve full realization of Equal Employment Opportunity. Therefore, the Bureau is committed to a policy that all persons will be compensated equally based upon their job responsibilities and salary grade.

Step 4b: Narrative of Interpretation

According to the Utilization Analysis Chart (UAC), underutilizations are indicated in several job categories, including white males in Professionals (-10%) and Technicians (-22%) job categories. Hispanic males (-3%), African American males (-6%), and African American females (-4%) in the Protective Services: Sworn-Patrol Officers job categories were also noted as underutilizations.

There are several factors that cause considerable difficulty when determining a level of underutilization and the following are all taken into consideration when reviewing the data, including:

The TBI is a statewide agency, and the relevant labor market encompasses all the State of Tennessee which includes many rural counties where the pool of applicants is not as varied as the more major metropolitan areas.

Several of the job categories have a small number of total positions within that category compared to the other categories and can lead to a micro perspective of the data, when a macro look at the data paints a different picture.

After reviewing the data set for the 2017-2018 Equal Employment Opportunity (EEO) Plan, it was discovered that there continues to be inaccuracies in the data set to include classifications showing under the wrong job group codes resulting in potentially inaccurate utilization percentages for the TBI EEO Plan. The Bureau continues to be in communication with the TN State EEO Director to hopefully correct the data set for the next annual EEO Plan.

See the attached document entitled "2017 TBI EEOP Narrative of Interpretation" for the full detailed analysis of EEOP results.

Following File has been uploaded:2017 TBI EEOP Narrative of Interpretation.pdf

Step 5: Objectives and Steps

1. Objective 1: Monitor and Improve Accuracy of Equal Employment Opportunity Data

a. After reviewing the data set for the 2017-2018 Equal Employment Opportunity (EEO) Plan, it was discovered that there continues to be inaccuracies in the data set to include classifications showing under the wrong job group codes resulting in potentially inaccurate utilization percentages for the TBI EEO Plan. Therefore, the TBI seeks to Monitor and Improve the Accuracy of EEO data in the future.

Step 2: The TBI will request for the Tennessee State EEO Director to collaborate with the state Edison team to find the origin of the data issue in the Edison System and seek to correct it prior to the next EEO Plan; including correcting classifications that are showing under the wrong job group codes.

b. After reviewing the data set for the 2017-2018 Equal Employment Opportunity (EEO) Plan, it was discovered that there continues to be inaccuracies in the data set to include classifications showing under the wrong job group codes resulting in potentially inaccurate utilization percentages for the TBI EEO Plan. Therefore, the TBI seeks to Monitor and Improve the Accuracy of EEO data in the future.

Step 1: The Tennessee Bureau of Investigation (TBI) will continue to monitor staffing data and communicate inaccuracies in the data to the State of Tennessee's Equal Employment Opportunity Director.

2. Objective 2: Implement Strategies to Increase Diversity of Applicants to TBI Internship and Academy Programs

a. As the number of TBI hires drawn from a pool of participants of the Training Divisions Internship Program and Citizens, Criminal Justice, and other Academies increase, the TBI seeks to ensure the accepted applications for these training programs are representative of the diverse population that the agency serves.

Step 1: The TBI will participate in a minimum of 2 events per year in which representatives of the agency will speak at or participate in a Career Fair in order to promote Trainings programs at a college or university known to have significant diversity in their student body (e.g. Tennessee State University).

b. As the number of TBI hires drawn from a pool of participants of the Training Divisions Internship Program and Citizens, Criminal Justice, and other Academies increase, the TBI seeks to ensure the accepted applications for these training programs are representative of the diverse population that the agency serves.

Step 2: The TBI will promote Training Programs through targeted outreach in order to communicate with relevant audiences through a minimum of 2 avenues per year (e.g. Tennessee Women in Law Enforcement Conference, Facebook, etc.).

Step 6: Internal Dissemination

1. A copy of the EEOP Utilization Report will be available in the TBI's Human Resources Office.
2. A copy of the EEOP Utilization Report will be available in the TBI's Grants Management and/or Fiscal Office.
3. A copy of the EEOP Utilization Report will be placed in each of the identified grant files.
4. A copy of the EEOP Utilization Report will be placed on the TBI's intranet site.

Step 7: External Dissemination

1. A copy of the EEOP Utilization Report will be kept in the TBI's Human Resources Office and will be made available for review upon request.
2. A copy of the EEOP Utilization Report will be maintained in the TBI's Grants Management and/or Fiscal Office and will be made available for review upon request.
3. A copy of the EEOP Utilization Report will be placed in each of the identified grant files. Information from these files may be requested through the Open Records laws of the State of Tennessee.
4. A copy of the EEOP Utilization Report will be placed on the TBI's website.

Utilization Analysis Chart
Relevant Labor Market: Tennessee

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Officials/Administrators																
Workforce #/%	2/20%	0/0%	1/10%	0/0%	0/0%	0/0%	0/0%	0/0%	6/60%	0/0%	1/10%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	166,985/5 4%	3,445/1%	13,100/4 %	345/0%	3,610/1%	110/0%	1,165/0%	515/0%	99,890/32 %	2,105/1%	17,085/5 %	200/0%	1,760/1%	30/0%	635/0%	170/0%
Utilization #/%	-34%	-1%	6%	-0%	-1%	-0%	-0%	-0%	28%	-1%	5%	-0%	-1%	-0%	-0%	-0%
Professionals																
Workforce #/%	33/26%	0/0%	4/3%	0/0%	0/0%	0/0%	0/0%	0/0%	69/54%	2/2%	14/11%	1/1%	1/1%	0/0%	0/0%	3/2%
CLS #/%	168,740/3 6%	4,390/1%	16,550/4 %	245/0%	7,705/2%	45/0%	1,085/0%	505/0%	221,050/4 7%	4,325/1%	35,330/8 %	395/0%	5,545/1%	45/0%	1,945/0%	280/0%
Utilization #/%	-10%	-1%	-0%	-0%	-2%	-0%	-0%	-0%	7%	1%	3%	1%	-0%	-0%	-0%	2%
Technicians																
Workforce #/%	3/10%	0/0%	1/3%	0/0%	0/0%	0/0%	0/0%	0/0%	21/68%	0/0%	6/19%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	29,960/32 %	525/1%	3,560/4%	20/0%	915/1%	0/0%	310/0%	60/0%	47,435/50 %	515/1%	9,695/10 %	125/0%	975/1%	0/0%	465/0%	260/0%
Utilization #/%	-22%	-1%	-1%	-0%	-1%	0%	-0%	-0%	18%	-1%	9%	-0%	-1%	0%	-0%	-0%
Protective Services: Sworn-Officials																
Workforce #/%	5/71%	0/0%	2/29%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	33,600/62 %	455/1%	8,635/16 %	140/0%	80/0%	4/0%	415/1%	90/0%	6,270/12 %	185/0%	3,850/7%	20/0%	30/0%	0/0%	89/0%	45/0%
Utilization #/%	9%	-1%	13%	-0%	-0%	-0%	-1%	-0%	-12%	-0%	-7%	-0%	-0%	0%	-0%	-0%
Protective Services: Sworn-Patrol Officers																
Workforce #/%	193/59%	5/2%	12/4%	0/0%	1/0%	0/0%	0/0%	1/0%	99/30%	3/1%	15/5%	0/0%	0/0%	0/0%	0/0%	0/0%
Civilian Labor Force #/%	134,425/4 3%	15,230/5 %	30,420/10 %	310/0%	2,110/1%	99/0%	1,509/0%	630/0%	87,725/28 %	6,005/2%	27,660/9 %	165/0%	1,310/0%	130/0%	1,145/0%	215/0%
Utilization #/%	15%	-3%	-6%	-0%	-0%	-0%	-0%	0%	2%	-1%	-4%	-0%	-0%	-0%	-0%	-0%
Protective Services: Non-sworn																

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Workforce #/%	5/24%	0/0%	1/5%	0/0%	0/0%	0/0%	0/0%	0/0%	14/67%	0/0%	1/5%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	1,165/37%	0/0%	165/5%	0/0%	10/0%	0/0%	10/0%	0/0%	1,190/38%	4/0%	530/17%	0/0%	40/1%	0/0%	0/0%	15/0%
Utilization #/%	-13%	0%	-1%	0%	-0%	0%	-0%	0%	29%	-0%	-12%	0%	-1%	0%	0%	-0%
Administrative Support																
Workforce #/%	2/22%	0/0%	1/11%	0/0%	0/0%	0/0%	0/0%	0/0%	6/67%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	220,870/29%	5,460/1%	33,185/4%	480/0%	3,925/1%	140/0%	1,900/0%	310/0%	391,750/52%	9,490/1%	78,585/10%	1,020/0%	4,680/1%	195/0%	3,535/0%	740/0%
Utilization #/%	-7%	-1%	7%	-0%	-1%	-0%	-0%	-0%	15%	-1%	-10%	-0%	-1%	-0%	-0%	-0%
Skilled Craft																
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	209,365/78%	21,435/8%	19,055/7%	625/0%	1,665/1%	195/0%	1,695/1%	385/0%	10,995/4%	560/0%	3,045/1%	55/0%	470/0%	0/0%	95/0%	45/0%
Utilization #/%																
Service/Maintenance																
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	342,375/41%	39,360/5%	88,010/11%	1,105/0%	6,125/1%	235/0%	3,380/0%	1,345/0%	240,925/29%	18,745/2%	76,255/9%	795/0%	6,140/1%	130/0%	2,900/0%	720/0%
Utilization #/%																

Significant Underutilization Chart

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Professionals	✓															
Technicians	✓															
Protective Services: Sworn-Patrol Officers		✓	✓								✓					

Law Enforcement Category Rank Chart

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Protective Services: Sworn-Officials																
Workforce #/%	5/71%	0/0%	2/29%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Protective Services: Sworn-Patrol Officers																
Workforce #/%	193/59%	5/2%	12/4%	0/0%	1/0%	0/0%	0/0%	1/0%	99/30%	3/1%	15/5%	0/0%	0/0%	0/0%	0/0%	0/0%

I understand the regulatory obligation under 28 C.F.R. ~ 42.301-.308 to collect and maintain extensive employment data by race, national origin, and sex, even though our organization may not use all of this data in completing the EEO Utilization Report.

I have reviewed the foregoing EEO Utilization Report and certify the accuracy of the reported workforce data and our organization's employment policies.

Certified As Final By: Lauren Hewgley

Talent Management Assistant Director

02-05-2018

[signature]

[title]

[date]



BILL HASLAM
Governor

TENNESSEE BUREAU OF INVESTIGATION

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MARK GWYN
Director

Tennessee Bureau of Investigation 2017 EEOP Narrative of Interpretation

According to the Utilization Analysis Chart (UAC), underutilizations are indicated in several job categories, including white males in Professionals (-10%) and Technicians (-22%) job categories. Hispanic males (-3%), African American males (-6%), and African American females (-4%) in the Protective Services: Sworn-Patrol Officers job categories were also noted as underutilizations.

There are several factors that cause considerable difficulty when determining a level of underutilization and the following are all taken into consideration when reviewing the data, including:

- The TBI is a statewide agency, and the relevant labor market encompasses all the State of Tennessee which includes many rural counties where the pool of applicants is not as varied as the more major metropolitan areas.
- Several of the job categories have a small number of total positions within that category compared to the other categories and can lead to a micro perspective of the data, when a macro look at the data paints a different picture.
- After reviewing the data set for the 2017-2018 Equal Employment Opportunity (EEO) Plan, it was discovered that there continues to be inaccuracies in the data set to include classifications showing under the wrong job group codes – resulting in potentially inaccurate utilization percentages for the TBI EEO Plan. The Bureau continues to be in communication with the TN State EEO Director to hopefully correct the data set for the next annual EEO Plan.

Although the EEO report indicates underutilizations of white males in two categories, the smaller size of the categories in which this underutilization is noted leads the Bureau to assess that the data set limits the scope to a micro perspective in such a way that can be misleading. When looking at the agency through a macro lens, the Bureau is comprised of 243 white males which represent 45.5% of the total agency staffing statewide. In addition, the TBI has maintained a consistent level of white males in the Technicians category between 2015 to 2017 EEOP reporting, and has seen growth in the Professionals job category in white males since 2015 by the addition of 4 staff (increase of 13.79%). Therefore, the agency intends to monitor these categories in future reporting to determine if the data sets produce the indicated underutilizations as a trend over time.

While efforts to diversify staffing are always needed, the Bureau has made strides specifically in two areas of the Protective Services: Sworn Patrol Officers job category which indicated underutilization. For example, the number of African American males in this job category has increased from 8 to 12 (a 50% increase), and within the total agency from 16 to 22 (a 37.5% increase) between 2015 and 2017. The number of Hispanic males has also increased in the Protective Services: Sworn Patrol Officers category from 3 to 5 (66.67%), and from 5 to 10 staff (100% increase) within the overall agency from 2015 to 2017. While the number of African American females decreased by 1 in the Sworn Patrol category (a 6.25% decrease), the agency as a whole increased the total number of African American females by more than 12% from 33 to a total of 37 staff between 2015 and 2017.



The TBI will continue to cast a wide net in recruitment to fill vacant positions and incorporate best practices in use of a variety of modalities for recruitment, including the use of social media. The TBI also draws from participants of internship programs and training academies in place at the TBI for potential employment. The TBI hopes that the expansion of these internship programs and training academies into regional offices in other areas of the state will improve agencies' ability to recruit employees more representative of the various areas of the state of Tennessee in which the agency represents; therefore, having a positive impact on diversification of the agencies overall employment structure as seen in future reports.

