

Schedule F: Agency Workforce Plan and Texas Workforce System Strategic Plan

Agency Overview

The Attorney General is designated by the Texas Constitution as the state's legal counsel in court. In addition, Texas law contains approximately 2,000 references to the Attorney General. The law provides the Attorney General with civil and criminal enforcement authority in a number of specific areas. The OAG provides high-quality legal representation, counseling, and assistance as legal counsel to state boards, agencies, and institutions of state government. As of May 1, 2016, 27 percent (1,116) of the OAG's workforce is within the Legal Services Strategy. Most of this staff is located in Austin; however, five regional consumer protection offices are located in Dallas, El Paso, Houston, McAllen, and San Antonio.

The Texas Family Code designates the OAG as the state agency tasked with administering Texas' federally mandated child support enforcement services program under Title IV-D of the Social Security Act. The Child Support Services Strategy represents the largest percentage of OAG employees, with approximately 65 percent of the OAG's current authorized FTEs. The OAG provides child support services across the state through the Child Support Division's (CSD) numerous field and regional offices. As of May 1, 2016, the CSD is divided into nine service regions and multiple local offices, which includes five metro consolidated offices, 40 field offices, 28 storefront locations, five enterprise customer service centers, specialized locations such as a special collections/cold case unit, and a centralized case initiation services unit.

The Attorney General is also responsible for providing Crime Victims' Services. As of May 1, 2016, three percent (110) of the OAG's workforce provide direct services and assistance to victims of violent crimes and various organizations through the Crime Victims' Compensation and the Victims' Assistance Strategies. This staff is primarily located in Austin but is also housed in Dallas, El Paso, Houston, and San Antonio.

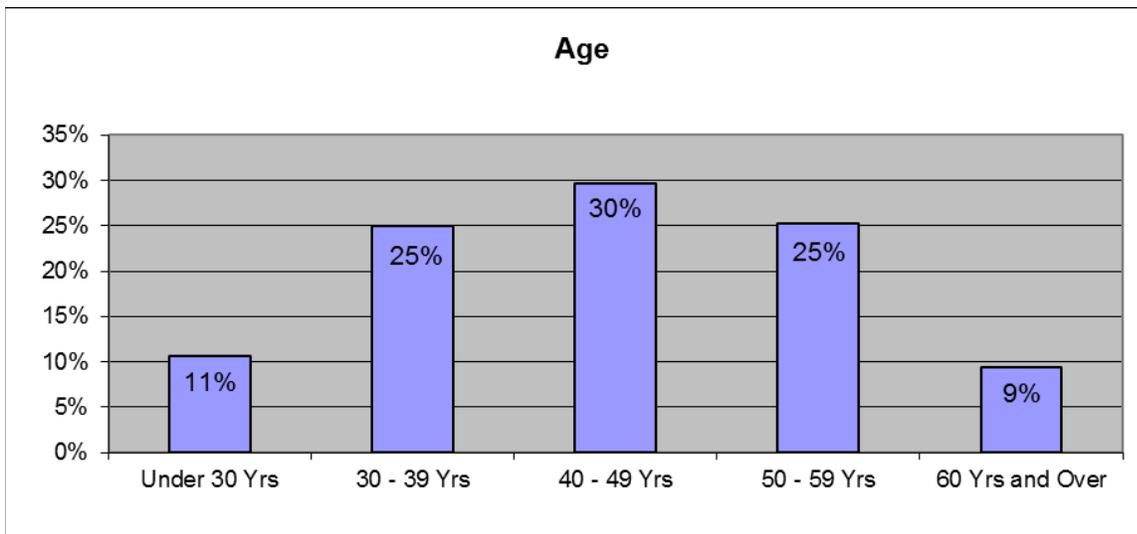
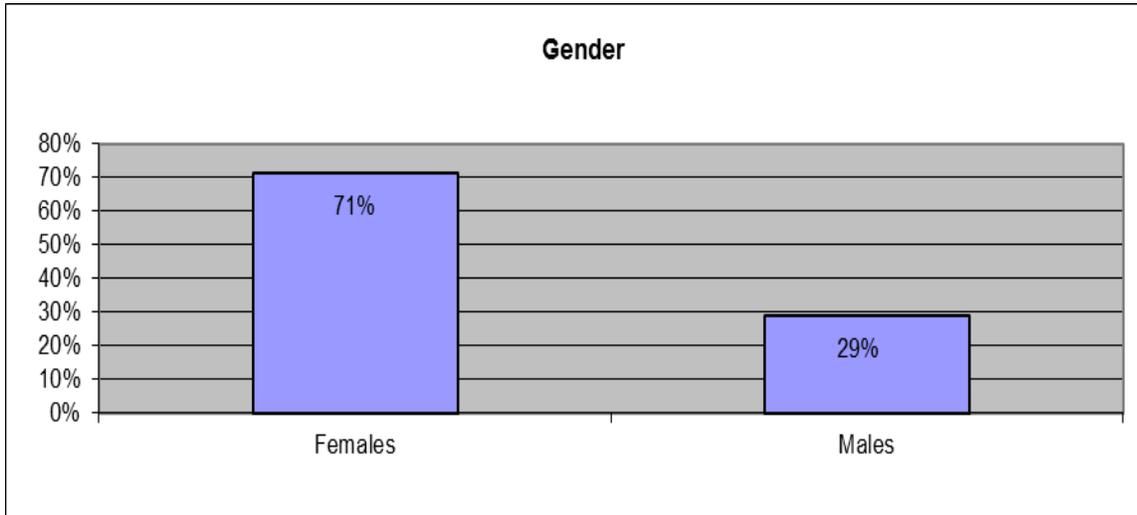
The OAG's Medicaid Investigation Strategy is carried out by the agency's Medicaid Fraud Control Unit (MFCU), as mandated by federal regulation (42 C.F.R. § 1007.11). With four percent (164) of the OAG's workforce on May 1, 2016, this strategy serves as a deterrent to criminal fraud and other criminal activity in the State Medicaid Program by investigating and prosecuting a wide variety of Medicaid providers throughout Texas that receive payments under the State Medicaid Program. Investigations of Medicaid patient abuse and criminal neglect are also conducted. The MFCU is based in Austin and has eight field offices operating in Corpus Christi, Dallas, El Paso, Houston, Lubbock, McAllen, San Antonio, and Tyler.

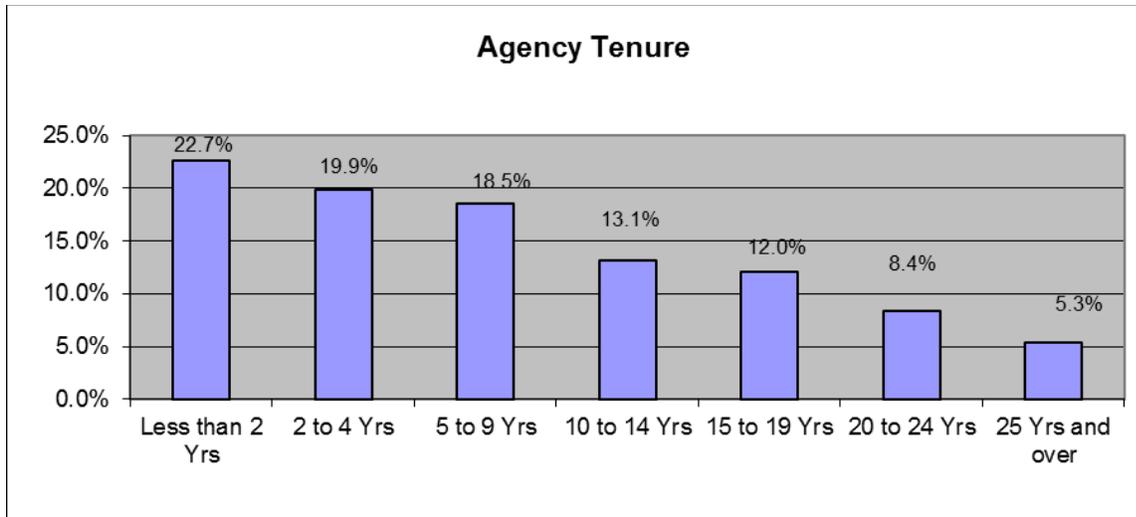
The Legislature does not identify a separate strategy for agency-wide administrative functions within the OAG, such as accounting, internal audit, budgeting, procurement, support services, human resources, and information technology services. Instead, the OAG is required to allocate administrative staff and costs to each of its strategies based on the OAG's federally approved Indirect Cost Allocation Plan. A separate strategy is identified for the OAG to provide administrative support for the State Office of Risk Management (SORM), as required by the Texas Labor Code.

A. Current Workforce Profile

Workforce Demographics

The following charts are profiles of the agency's workforce as of May 1, 2016. The charts include full-time and part-time employees. The OAG workforce is 29 percent male and 71 percent female. Sixty-four percent of the agency's employees are 40 years of age or older. With respect to state service, 61 percent of agency employees have less than ten years of agency service, while 39 percent have ten or more.





The following table compares the percentage of African-American, Hispanic, and female OAG employees (as of May 1, 2016) to the statewide civilian workforce as reported by the Texas Workforce Commission’s Civil Rights Division. In two-thirds of the categories, the agency’s percentages are higher than the statewide workforce levels.

Job Category	African-American		Hispanic		Female	
	OAG %	State %	OAG %	State %	OAG %	State %
Officials, Administration	8.91	8.99	19.80	19.51	43.56	39.34
Professional	9.38	11.33	24.56	17.40	59.68	59.14
Technical	8.80	14.16	28.80	21.36	34.40	41.47
Administrative Support	14.69	13.57	39.69	30.53	87.06	65.62
Skilled Craft	20.00	6.35	60.00	47.44	20.00	4.19
Service and Maintenance*	18.61	14.68	47.99	48.18	78.14	40.79

* Per directive from the Texas Workforce Commission’s Civil Rights Division, “Protective Services” and “Para-Professionals” categories are combined with the “Service and Maintenance” category.

The demographics of the OAG workforce are statistically representative of the Texas labor pool. Categories with under-representation are Female Technical, African-American Technical, African-American Professional, African-American Officials/Administration, and Hispanic Service and Maintenance. The under-representation of African-American Professional, African-American Officials/Administration, and Hispanic Service and Maintenance are considered minimal.

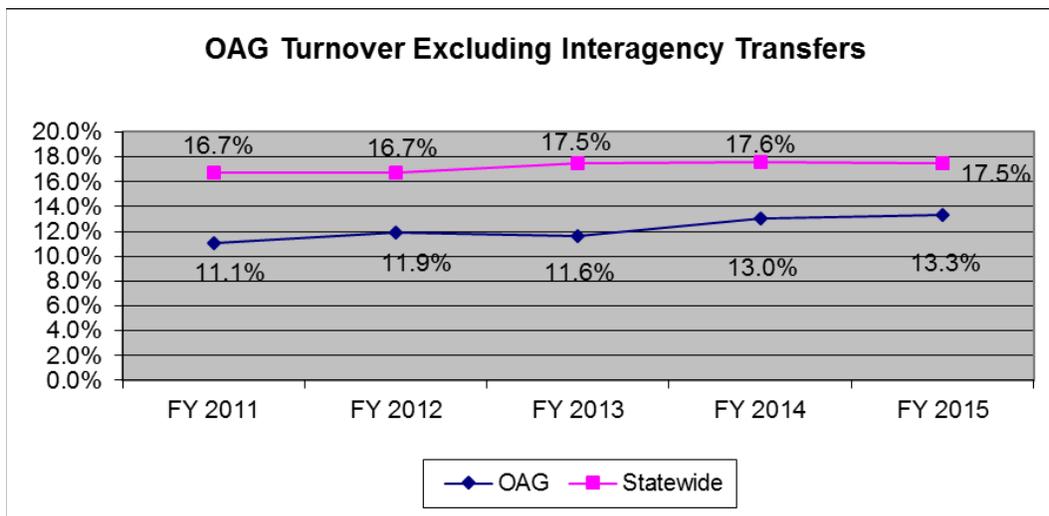
Pursuant to the OAG EEO Plan, the OAG will endeavor to recruit more staff for the categories identified above. The Human Resources Director will emphasize the recruitment of individuals for jobs listed within the categories in which the OAG’s workforce has an under-representation.

Programs utilized for this purpose will include the “Volunteer and Intern Program” (VIP), which recruits volunteer interns at the undergraduate level. The OAG will also endeavor to attend minority recruitment fairs at historically diverse universities as resources allow.

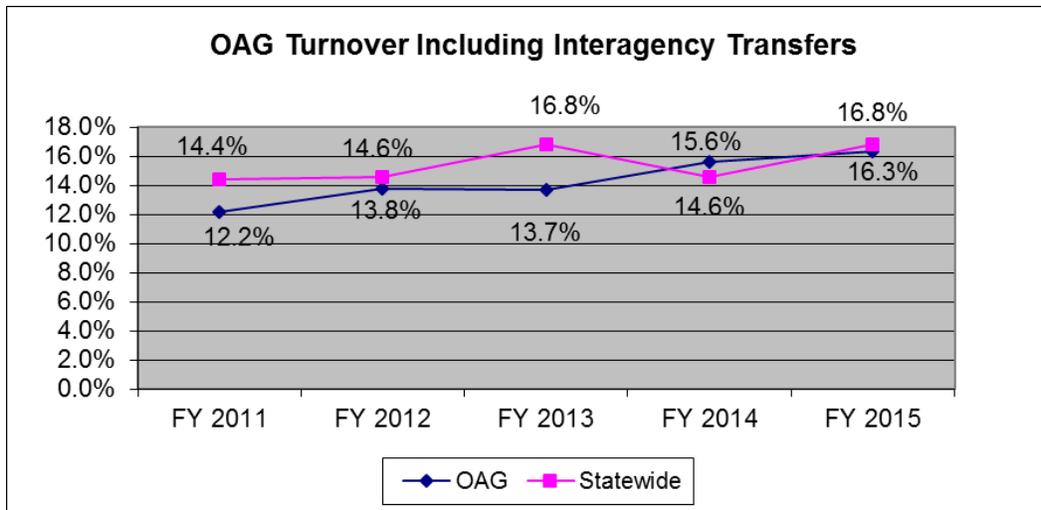
Additionally, the OAG remains compliant with federal and state laws and regulations regarding the recruitment and selection of veterans.

B. Employee Turnover

The turnover rate for the OAG is generally consistent with or below the turnover rate for state government. A comparison of the OAG turnover rate to state government for FY 2011 through FY 2015 is below.



Source: State Auditor's Office Turnover Data for Agency 302 - Office of the Attorney General, Article 01 - General Government



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C. Potential Retirement Eligibility Impact

An analysis of the OAG staff tenure and leave records indicates that 340 staff members—or approximately eight percent of the agency’s workforce—currently are, or will become, eligible to retire during FY 2016 under the state’s “Rule of Eighty” criteria.⁷ As Table A indicates, the percentage of OAG employees becoming eligible to retire by the end of FY 2016 is as follows: approximately five and one-half percent for the Crime Victims Services Division, seven percent for MFCU, nearly eight percent for the Child Support Division, and ten percent for the legal services divisions. Between FY 2016 and FY 2021, approximately twenty-four percent (969 employees) of the OAG’s staff are anticipated to become eligible for retirement under the “Rule of Eighty.”

**TABLE A: Number of OAG Employees
Projected to Be Eligible to Retire By Fiscal Year Using Rule of 80**

Strategy Area	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	Total Eligible	Total Staff by Area ⁸	% Eligible in FY 2016	% Eligible Between FY 2016 & FY 2021
Child Support	210	87	90	84	88	83	642	2,697	7.8	23.8
Crime Victim Services	6	2	2	5	3	2	20	110	5.5	18.2
Legal Services ⁹	112	34	24	31	39	30	270	1,116	10.0	24.2
Medicaid Fraud Control	12	2	7	6	4	6	37	164	7.3	22.6
Agency Total	340	125	123	126	134	121	969	4,087	8.3	23.7

Table B shows the estimated number of agency staff by selected classified position series who may likely reach retirement eligibility during the FY 2016 through FY 2021 period. Approximately forty-five percent of the agency’s directors and forty percent of its managers are projected to reach retirement eligibility during this period. In addition, during this same period,

⁷ These estimates are based on the number of staff on the OAG’s payroll as of May 1, 2016. The estimates are conservative as employees may retire for reasons other than the “Rule of Eighty” (e.g., reaching the age of sixty with ten years of service credit). The seventy-two OAG employees who have retired through the Employee Retirement System (ERS) as of the end of May 2016 are also excluded from the annual estimates of retirement-eligible staff. Rehired ERS retirees, however, are included in the total count of agency employees as of May 1, 2016.

⁸ Count is of filled positions as of 5/1/2016 and includes rehired ERS retirees but excludes vacant positions.

⁹ Includes the staff of Executive Administration and the administrative divisions.

twenty-eight percent of the agency’s administrative assistants are projected to reach retirement eligibility.

**TABLE B: Number of OAG Employees By Selected Classification Series
Projected to Be Eligible to Retire By Fiscal Year Using Rule of 80**

Strategy Area	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	Total Eligible	Total Employees by Classification Series ¹⁰	% Eligible in FY 2016	% Eligible FY 2016 & FY 2021
Administrative Assistants	24	8	5	9	6	8	60	216	11.1	27.8
Assistant Attorneys General	68	10	17	17	27	21	160	707	9.6	22.6
Child Support Officers	68	36	40	32	34	29	239	1,260	5.2	19.0
Child Support Technicians	14	8	5	7	0	14	48	394	3.5	12.2
Directors ¹¹	12	2	5	2	4	4	29	64	18.7	45.3
Investigators	12	7	4	6	4	6	39	99	12.1	39.4
Legal Assistants	13	1	6	4	2	1	27	97	13.4	27.8
Legal Secretaries	4	5	2	2	3	1	17	74	5.4	23.0
Managers	15	5	9	5	6	7	47	119	12.6	39.5

The OAG, on a limited basis, utilizes rehired ERS retirees to fulfill mission-critical job functions. Approximately two percent of OAG employees fall into this category. Table C shows the number and percentage of rehired ERS retirees employed by the agency according to strategy area as of May 1, 2016.

¹⁰Count is of filled positions as of 5/1/2016 and includes rehired ERS retirees but excludes vacant positions.

¹¹ Excludes all Director V positions defined for this analysis to be non-career positions.

TABLE C: Rehired ERS Retirees as a Percentage of the OAG Workforce as of 5/1/2016

OAG Strategy	Total Employees as of 5/01/16	Number of Rehired ERS Retirees	Rehired ERS Retiree as % of Total Employees
Child Support	2,697	36	1.3
Crime Victim Services	110	0	0.0
Legal Services	1,116	28	2.5
Medicaid Fraud Control	164	8	4.6
Agency Total	4,087	72	1.8

D. Training

The Texas Legislature has recognized that programs for the education and training of state employees materially aid effective state administration. In addition, state law requires that all state employees complete certain mandatory trainings. Moreover, the Texas Government Code allows state agencies to spend public funds for education and training programs. Accordingly, the OAG provides the following education and training programs for its employees in order to comply with state law, increase competency of agency employees, and promote the effective administration of the agency:

- Mandatory Training consisting of
 - Discrimination and Harassment Awareness
 - Fraud, Waste, and Abuse Prevention Program
 - Government Records: Retention and Requests
 - Sensitive Personal Information
 - Information Technology Security
- Continuing Legal Education
- Peace Officer Education
- Employee Development

E. Recruitment

The purpose of recruitment is to attract outstanding individuals who have an interest in state government. The OAG has ongoing programs that serve to enhance recruitment of employees.

The **Law Clerk Program** selects law clerks based on factors such as grades, writing ability, legal experience, and interest in public service work. Recruiting includes participating in on-campus interviews at Texas law schools, attending public service career events, and accepting applications from students throughout the country. Law clerks work alongside OAG attorneys, gaining hands-on experience in their areas of interest. As in a traditional clerkship program, law clerks are expected to research and write legal memoranda.

The **Volunteer/Intern Program (VIP)** provides realistic training situations that provide volunteers and interns with valuable hands-on experience. Recruiting for the VIP includes attendance at job

and internship fairs, public presentations at colleges and universities, and dissemination of information to various career-services offices.

The **Child Support Outreach and Volunteer Program** provides community outreach and recruits volunteers and interns to work in child support offices. Volunteers and interns assist full-time staff with valuable support and, in return, they gain experience and marketable skills.

F. Retention

To increase retention, the OAG provides employees the following:

1. Education and Training

The OAG provides education and training programs designed to develop relevant knowledge, skills, and abilities.

2. Payment of Fees for Professional Certifications and Licenses

For certifications or licenses that are directly related to the individual employee's business function in the agency, the OAG reimburses certain professional fees paid by OAG employees.

3. Alternative Work Schedules and Telecommuting

Pursuant to OAG policy, employees may have alternative work schedules. The OAG has a telecommuting program for eligible personnel. The program allows approved employees to telecommute on an ad-hoc, medical-leave, or extended-schedule basis.

4. Performance Leave

Employees may be awarded performance leave for outstanding performance, pursuant to §661.911, Texas Government Code.

5. Wellness Program

The OAG's Wellness Program provides employees the opportunity to participate in a variety of health initiatives.

G. Succession Planning

Although the agency does not have a formally designated succession-planning program, the OAG utilizes a variety of practices and procedures that collectively contributes to the continuity of competent personnel in critical positions. The OAG recognizes and retains potential future leaders through pay raises and promotions, training opportunities, mentoring, and job assignments. This program is designed to ensure continuity in key or critical positions and identify individuals with the potential to assume new roles and higher levels of responsibility. It creates opportunities for professional growth through voluntary mentoring and tailored training, and retains critical child support program knowledge and information.