

Schedule F: Agency Workforce Plan and Texas Workforce System Strategic Plan For Fiscal Years 2020-2021

Agency Overview

The Attorney General is the state's legal counsel in court, as designated by the Texas Constitution. Texas law provides the Attorney General with civil and criminal enforcement authority and references the Attorney General approximately 2000 times. The OAG provides legal representation, counseling, and assistance as legal counsel to state boards, agencies, and institutions of state government.

As of March 1, 2018, 22 percent (892) of the OAG's workforce is within the Legal Services Strategy. Most of this staff is in Austin; however, there are five regional consumer protection offices located in Dallas, El Paso, Houston, Pharr, and San Antonio.

In accordance with the Texas Family Code, the OAG is tasked with administering Texas's federally mandated child support enforcement services program under Title IV-D of the Social Security Act. The Child Support Services Strategy is comprised of 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 March 1, 2018, the CSD is divided into nine service regions and multiple local offices, which includes five metro consolidated offices, 39 field offices, 36 storefront locations, three enterprise customer service centers, four specialized locations: Special Collections, Foster Care, Interstate, and Case Initiative Service.

The Attorney General is also responsible for providing Crime Victims' Services. As of March 1, 2018, 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 42 C.F.R. § 1007.11. With four percent (165) of the OAG's workforce on March 1, 2018, this strategy serves as a deterrent to criminal fraud and other criminal activity in the State Medicaid Program. MFCU investigates and prosecutes 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, Pharr, San Antonio, and Tyler.

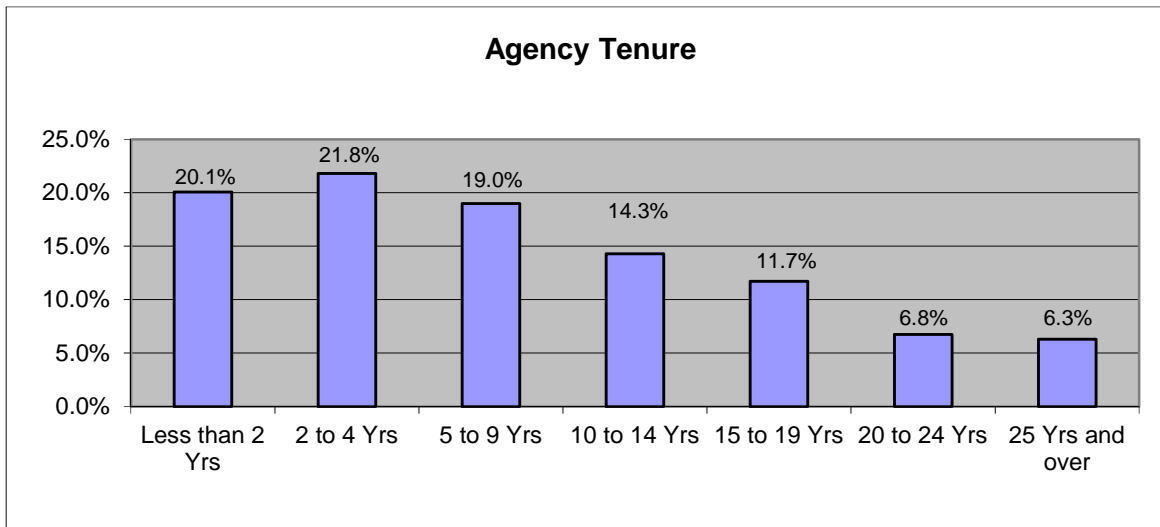
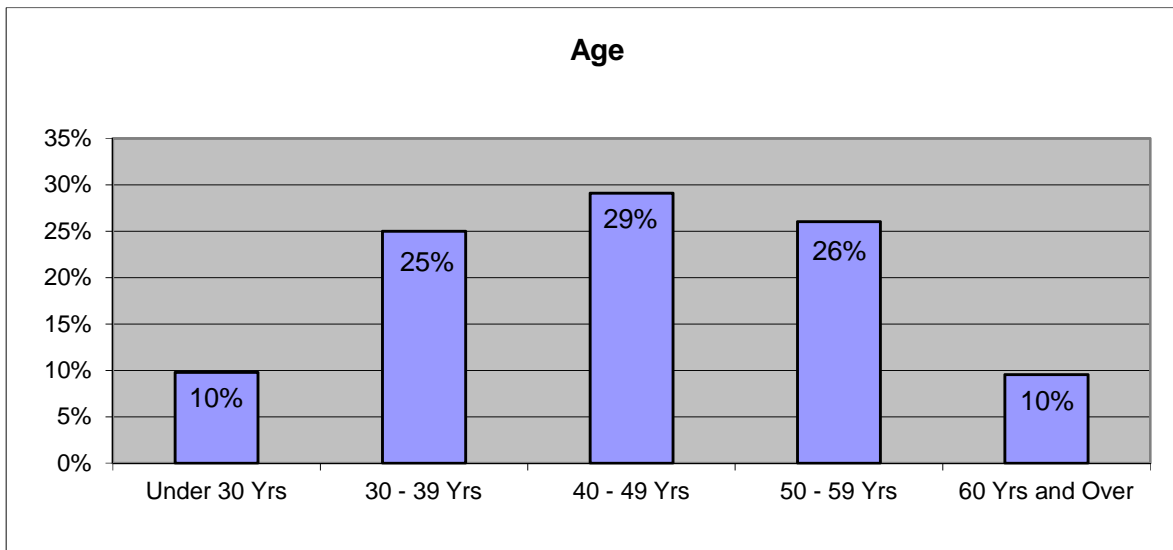
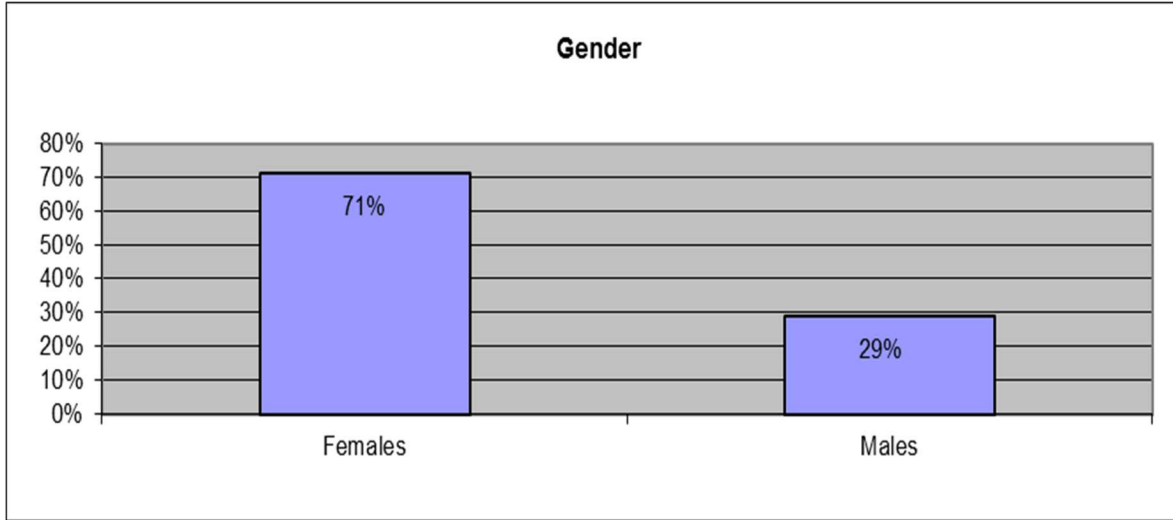
The Legislature does not identify a separate strategy for agency-wide administrative functions within the OAG, such as accounting, internal audit, budgeting, procurement, support services, human resources, and information technology services. Instead, the OAG is required to allocate administrative staff 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 March 1, 2018. The charts include full-time and part-time employees. The OAG workforce is 29 percent male and 71 percent female. Sixty-five 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.

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The following table compares the percentage of African-American, Hispanic, and female OAG employees (as of March 1, 2018) to the statewide civilian workforce as reported by the Texas Workforce Commission’s Civil Rights Division. In half 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	8.27	7.40	18.05	22.10	48.87	37.40
Administrative Support	14.61	14.80	39.33	34.80	86.74	72.10
Service and Maintenance	21.00	13.00	50.89	54.10	86.93	51.00
Professional	10.28	10.40	24.61	19.30	60.35	55.30
Protective Services	9.09	19.80	31.44	31.30	29.17	25.60
Skilled Craft	0.00	10.60	50.00	50.70	0.00	11.60
Technical	12.70	14.40	25.40	27.20	34.92	55.30

* 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, female skilled craft, African American protective services, African American skilled craft, Hispanic officials/administration, Hispanic service and maintenance, and Hispanic technical. The under-representation of African American technical, African American administrative support, and African American professional are considered minimal.

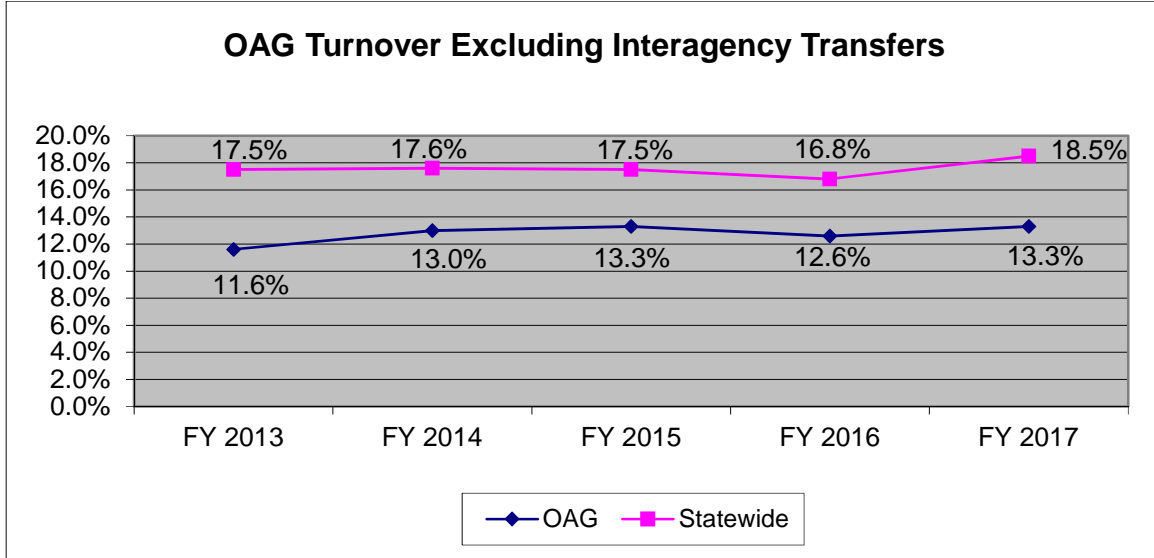
Pursuant to the OAG EEO Plan, the OAG will continue to endeavor to recruit more staff for the categories identified above. The Human Resources Director will emphasize the recruitment of individuals for jobs listed within the categories in which the OAG’s workforce has an under-representation. Programs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

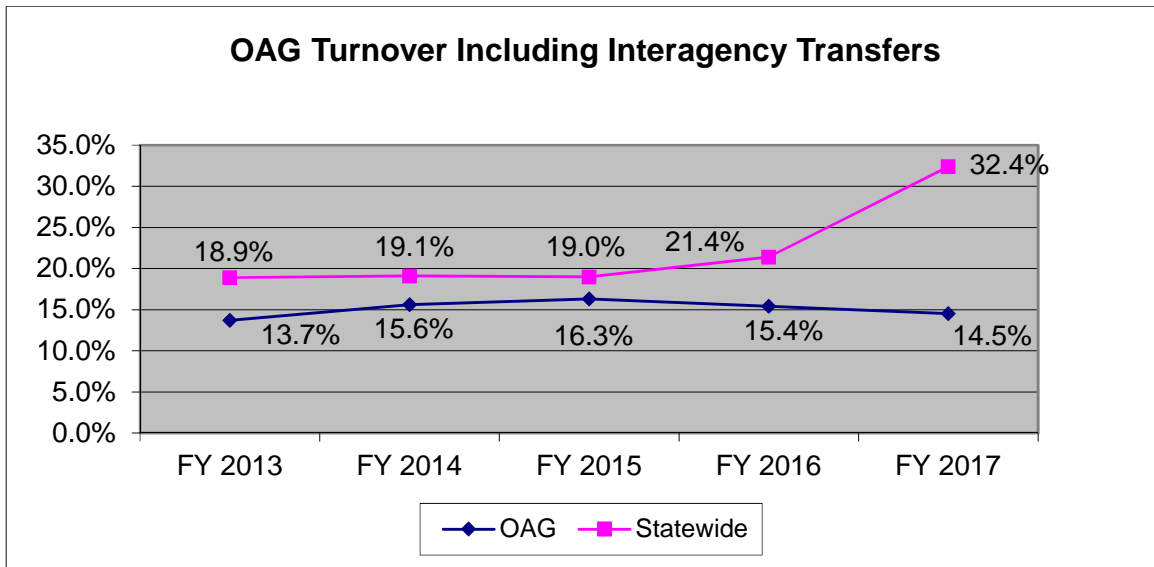
B. Employee Turnover

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 2013 through FY 2017 is below.

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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 380 staff members—or approximately nine percent of the agency’s workforce—currently are, or will become, eligible to retire during FY 2018 under the state’s “Rule of Eighty” criteria.¹ As Table A indicates, the percentage of OAG employees becoming eligible to retire by the end of FY 2018 is as follows: approximately ten percent for the Crime Victims Services Division, six percent for MFCU, nearly ten percent for the Child Support Division, and ten percent for the legal services divisions. Between FY 2018 and FY 2023, approximately twenty-three percent (951 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	FY18	FY19	FY20	FY21	FY22	FY23	Total Eligible	Total Staff by Area²	% Eligible in FY2018	% Eligible Between FY2018 & FY2023
Child Support	245	71	73	79	68	81	617	2,664	9.2	23.2
Crime Victim Services	11	4	4	1	5	6	31	110	10.0	28.2
Legal Services ³	113	21	30	28	39	32	263	1,133	9.9	23.2
Medicaid Fraud Control	11	5	2	3	10	9	40	165	6.7	24.2
Agency Total	380	101	109	111	122	128	951	4,072	9.3	23.4

Table B shows the estimated number of agency staff by selected classified position series who may likely reach retirement eligibility during the FY 2018 through FY 2023 period. Approximately fifty percent of the agency’s directors and forty-two percent of its managers are projected to reach retirement eligibility during this period. In addition, during this same period, nearly thirty-five percent of the agency’s administrative assistants are projected to reach retirement eligibility.

¹ These estimates are based on the number of staff on the OAG’s payroll as of March 1, 2018. 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-three OAG employees who have retired through the Employee Retirement System (ERS) as of the end of February 2018 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 March 1, 2018.

² Count is of filled positions as of March 1, 2018 and includes rehired ERS retirees but excludes vacant positions.

³ Includes the staff of Executive Administration and the administrative divisions.

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**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	FY18	FY19	FY20	FY21	FY22	FY23	Total Eligible	Total Employees by Classification Series ⁴	% Eligible in FY2018	% Eligible Between FY2018 & FY2023
Administrative Assistants	27	10	2	6	12	12	69	199	13.6	34.7
AAGs	67	11	21	19	17	17	152	744	9.0	20.4
Child Support Officers	75	24	29	33	22	22	205	1,267	5.9	16.2
Child Support Technicians	19	5	7	12	5	5	53	370	5.1	14.3
Directors ⁵	22	4	3	6	3	3	41	82	26.8	50.0
Investigators	9	4	4	2	4	4	27	76	11.8	35.5
Legal Assistants	14	1	2	3	6	6	32	109	12.8	29.4
Legal Secretaries	7	1	2	2	3	3	18	67	10.4	26.9
Managers	20	4	4	4	9	9	50	118	16.9	42.4

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 March 1, 2018.

⁴ Count is of filled positions as of March 1, 2018 and includes rehired retirees but excludes vacant positions.

⁵ Excludes all Director V positions defined for this analysis to be non-career positions.

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**TABLE C: Rehired ERS Retirees as a Percentage
of the OAG Workforce as of March 1, 2018**

OAG Strategy	Total Employees as of 3/01/18	# of Rehired State Retirees	State Retiree Rehires as % of Total Employees
Child Support	2,664	33	1.2
Crime Victim Services	110	1	0.9
Legal Services	1,133	21	1.9
Medicaid Fraud Control	165	6	3.6
Agency Total	4,072	73	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 training. 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 to comply with state law, increase competency of agency employees, and promote the effective administration of the agency.

- Mandatory Training
 - Discrimination and Harassment Awareness
 - Fraud, Waste, and Abuse Prevention Program
 - Government Records: Retention and Requests
 - Sensitive Personal Information
 - Information Technology Security
 - Required Information for New Employees
 - Human trafficking: Be the One
- 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.

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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.

The **OAG Fellowship Program** offers three one-year fellowships for third-year law students or recent law school graduates. The Coleman Fellows work in the Office of the Solicitor General. The Coleman fellowships are named after Gregory S. Coleman, the First Solicitor General of Texas. The third fellow works in civil litigation.

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.

6. **Retention Bonuses**

The OAG may offer one-time additional compensation payments of up to \$5,000 to retain employees designated as possessing scarce skills, critical knowledge, or attributes required for the ongoing success of the agency. To be eligible, the employee must have completed 12 months of regular, full-time service with the agency.

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.