



Workforce Plan

Fiscal Years 2021 - 2025

by

State Office of Administrative Hearings

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Austin, Texas

Agency Workforce Plan

Agency Overview

As mentioned in the agency’s mission statement, the State Office of Administrative Hearings (SOAH) is to serve as an independent, neutral forum for the State of Texas by providing a fair and efficient hearings process and the opportunity for alternative dispute resolution proceedings, in accordance with Chapter 2003 of the Texas Government Code.

SOAH resolves disputes between Texas agencies, other governmental entities, and private citizens either through an administrative hearing or mediation. The office is separate and independent from the agencies involved in the disputes. The administrative law judges (ALJ) who preside over the disputes are neutral. The agency handles approximately 25,000 Administrative License Revocation (ALR) hearings, and 5,900 General Docket hearings annually.

Strategic Goals and Objectives

- Goal: To provide for a fair and efficient administrative hearings process.
- Objective: Ensure that all hearings are conducted in a fair and impartial manner.
Provide an opportunity for alternative dispute resolution proceedings.

Workforce Profile

The agency is authorized 123 Full Time Equivalent (FTEs) in the General Appropriations Act. SOAH's Chief Administrative Law Judge is appointed by the Governor and serves as the agency's Executive Director.

SOAH continues to reorganize in order to streamline workflow and increase efficiencies. Currently SOAH is divided into three divisions. The three divisions reporting to the Chief Administrative Law Judge include:

- **Hearings Division**
The Hearings Division is led by the Deputy Chief for Hearings and oversees all hearings and mediations. Reporting to the Deputy are the ALJs, field operations, and hearings support staff. In Fiscal Year 2020, Legal Secretaries were realigned and now report directly to the Hearings Support Manager. This realignment provides more efficient distribution of work assignments and ensures consistency in quality of work product. A new position was also created to help manage case record close-out to ensure all cases were filed and organized according to the agency standard. This helps facilitate the records disposition process as well.
- **Operations Division**
The Operations Division is led by the Chief Operating Officer/Chief Financial Officer (COO/CFO) who oversees the Finance, Human Resources, Contracting, and Information Technology (IT) functions. The COO/CFO position streamlines the management of Operations for the agency. In Fiscal Year 2020, the agency created a new position to help support the growing needs of Information Technology. This new position will streamline the help desk functions, implement more effective problem resolution, and standardize IT process and procedures.
- **General Counsel Division**
The General Counsel Division is led by the General Counsel who oversees public information requests, records management, SOAH policies, and responds to legislative and media requests. In Fiscal Year 2019, the agency created a new position to support the growing needs of information requests and legal inquiries. The Assistant General Counsel position supports the General Counsel by reviewing public information requests, assisting with records retention management, and spearheading the review and update of SOAH policies.

The majority of SOAH's employees have education beyond high school, with over 50 percent having advanced degrees. All Administrative Law Judges require a Juris Doctor degree; therefore, it is critical to the mission of the agency to recruit, hire, train and retain an educated workforce.

Demographics

The statistical information provided in this Workforce Plan is based on data from the State Auditor's Office classification system, as of August 31, 2019.

Fiscal Year 2019, SOAH's workforce was comprised of 116.5 employees:

- 30% Male
- 70% Female

The percentage of women working at the agency is higher than the State of Texas average of 53.50%.

Of the agency employees:

- 81% are over the age of 40, compared to the statewide population of 57.7%
- Median age is 50 years of age
- 38% are of a minority ethnicity, compared to the statewide workforce of 49.66%
- 23.82% have 5 years or less agency service
- 16.95% have 5 – 10 years of agency service
- 59.23% have more than 10 years of agency

Workforce Eligible to Retire

Based on ERS projections, approximately 36% of current employees will be eligible to retire by the end of fiscal year 2023. Projected retirements are a significant staffing issue for the agency considering the number of staff that are eligible to retire over the next five years. In Fiscal Year 2020 alone, more than 20 employees are currently able to retire. While all areas of the agency will be impacted by retiring staff, several other factors will impact the transition. These include:

- Effective succession planning,
- Knowledge transfer,
- Establishment and maintenance of current Policies and Procedures (P&Ps), and
- Development of staff using current computer technologies.

Veteran Workforce

The agency's veteran workforce is less than 6%, falling short of the statewide target of 20%. Job postings are shared with the Texas Veteran's Commission, and the agency provides a military cross-walk for all external job postings. The agency adheres to the statutory requirement to interview qualified veterans for all job openings.

SOAH will continue to focus on providing information regarding job opportunities to veterans and will seek opportunities to be more innovative in the recruitment of veterans for SOAH positions. Human Resources will network with other state agency Veteran's Liaisons to build stronger partnerships with Veteran organizations and communicate employment opportunities within SOAH.

Agency Turnover

The agency's turnover rate is 20.6%, largely due to the nature of an aging workforce and retirements. However, SOAH's turnover rate is below the statewide average of 21.2%. The job titles with the highest turnover rates include:

- Administrative Law Judges – 23%
- Legal Secretary – 17.8%

Because SOAH is considered a medium sized agency, career opportunities in some job titles are limited to business needs and financial constraints that may restrict the opportunity for promotions in various job titles. A few employees took positions outside the agency in order to advance their career. SOAH is constrained by FTEs to promote employees to higher job classifications if there is not a business need for that higher job classification.

As SOAH continues to grow employees professionally, employees ready to advance to a higher job classification may feel the need to seek employment elsewhere in the state, possibly at a larger state agency. Thus, SOAH experienced increased turnover as anticipated. Due to projected retirements, SOAH expects this trend to continue with the turnover rate steadily increasing over the next five years. For Fiscal Year 2019, the top three reasons reported for voluntary separations from the agency based on the State Auditor's Office exit survey:

- Retirement
- Better pay/benefits
- Little or no career advancement opportunities

Projected Agency Turnover over Five Years

Factors listed above are expected to remain; therefore, SOAH anticipates a higher turnover rate over the next five years. SOAH's turnover may reflect the increased statewide turnover rate.

Although turnover is projected to increase, each position vacated creates an opportunity to replace that position with a candidate who matches the evolving skill-set needed as the agency modernizes and increases efficiencies. In Fiscal Year 2020, the agency was able to hire qualified candidates who have essential computer skills required for moving the agency forward to successfully meet future goals.

Workforce Skills Critical to the Mission

SOAH requires a workforce with a variety of critical skills and a high level of education to effectively fulfill the core functions. Based on the agency's mission, the dominant skill sets needed are listed below:

- Emerging and advanced technology skills
- Research, writing, and review skills
- Effective communication
- Understanding of laws, rules, and policies
- Time and personnel management skills
- Data analysis and management
- Change management

SOAH reviews positions on a regular basis and identifies the basic and advanced technical knowledge, skills, and abilities associated with each job classification.

Workforce Allocation

The current staffing for SOAH includes:

Hearings Division, directed by the Deputy Chief for Hearings

- 33 Austin Administrative Law Judges
- 22 Field Administrative Law Judges, including a Field Operations Director
- Hearings support includes a Manager, Chief Clerk, Docketing Clerks, Legal Secretaries, and Legal Assistants

Operations Division, directed by the Chief Operating Officer/Chief Financial Officer (COO/CFO)

- Finance employees include Finance Director, Accounting, Budget, Payroll, Purchasing, and HUB
- Human Resources employees including HR Manager and HR Specialist
- Information Technology employees including IT Director, Security Officer, and IT Support

General Counsel Division, directed by the General Counsel

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- Assistant General Counsel
 - Program Specialist

Fiscal Year 2019 SOAH's EEO Classifications:

- Officials & Administrators – 8.37%
- Professionals – 55.36%
- Administrative Support – 31.9%
- Paraprofessionals – .85%
- Technicians – 3.43%

Expected Workforce Changes

As part of the strategic plan, the agency continues to focus on increasing efficiencies in workflow and quality work products through utilization of modern technologies. The most recent example of implementing new technologies was the agency's successful launch of eFile Texas in March 2020. This project required an agency-wide effort to coordinate, train, and communicate new procedures to agency staff, external agencies, and parties.

In addition, the agency is currently in the process of implementing a new case management system, Administrative Case Tracking System (ACTS), which requires the continued emphasis on modern technologies. In Fiscal Year 2019, the agency awarded a contract to the vendor for the ACTS project. Fiscal years 2020 and 2021 will be critical in the successful completion of the ACTS project. The project will require additional computer training for current employees to enhance existing skill-sets in all areas of the agency. Change management skills will be needed to advance the agency and realize efficiencies through process evaluation.

Other changes in workloads will depend on the number and complexity of cases referred to the agency.

Compensation

The results from the most recent Survey of Employee Engagement confirmed that salary remains the number one gap related to job satisfaction. Beyond retirements, exit surveys indicate turnover is due partially to salary. The agency continues to review its positions and classification, including conducting comparisons of classifications with other state agencies, in order to mitigate turnover and ensure the agency is competitive in today's modern world.

The agency routinely reviews the Administrative Law Judges' salaries to ensure they are comparable to peer agencies with similar job functions or titles.

In Fiscal Year 2019, the agency reviewed Administrative Support, Legal Secretary, and Docketing Clerk job descriptions and increased the base salaries when positions made less than \$40,000. This action was critical to SOAH to mitigate turnover and to be more competitive for recruiting purposes in those areas. This increase allowed SOAH to hire better qualified candidates and retain current employees considering leaving SOAH.

SOAH has also experienced recruiting difficulties for some Information Technology and Finance positions and has had to increase the base pay offers to hire best candidates.

The year-over-year comparison of average salary for the agency has increased in order to recruit and hire the best person for the job. The agency will continue to optimize funding for salary actions that will be critical to the agency's success in meeting the agency's mission and strategic goals.

Increase Diversity

SOAH recognizes the need to improve the diversity of the workforce.

- 38% of SOAH's workforce is comprised of ethnic minorities;
- 12.6% of the SOAH's workforce is black. This percentage is below the statewide average and does not reflect State of Texas demography.

Recruiting

Innovative, targeted recruiting will be required in the future to become a more diversified agency.

Objective

20% of the agency's workforce should be veterans. SOAH has fallen short in achieving compliance with Senate Bill 805, as passed by the 84th Legislature. SOAH will continue outreach efforts by networking and building partnerships with veteran organizations. Similar to other medium sized agencies, recruitment and retention of staff in direct administration can be challenging.

IT professionals, purchasers, and finance professionals are difficult to replace. Succession planning can be problematic in these areas where there is a large skill gap between managers and staff. Recruitment focused on technology driven professionals will help close the gap in computer skill sets.

Increase Alternate/Flexible Work Programs

In order for the agency to recruit and retain employees, the modern workforce requires flexible work options for work life balance. The agency continues to evolve as the workforce does, offering flexible work schedules and teleworking options.

Training

Innovative, targeted training will be required in the future to become a more knowledgeable agency.

In Fiscal Year 2019, the Chief ALJ implemented targeted training for the agency with an emphasis on two critical areas:

- Training supervisors and team leaders
- Training new ALJs.

These training programs have been well received by participants, based on employee engagement survey results. Training ensures better consistency in administering processes and procedures as well as better accuracy in final work products.

Ongoing targeted training is required in order for SOAH to be successful.

Technology

The agency has historically been a paper-based agency with documents and forms being printed, signed, and returned in hardcopy. Efficiencies and savings can be realized converting to electronic data processing, versus paper, printing, and handling documents manually. As newer technologies have been made available to the agency, such as eFile, eSignature, tele/video conferencing, and the new case management system, it will continue to require information technology training for all employees. These can include:

- Computer based trainings,
- Tutorials,
- Applications, and
- Desk aids or Guides.

Policies, Procedures and Forms

The agency is currently in the process of modernizing all of SOAH's policies. In Fiscal Year 2020, SOAH created and updated standard templates for Policies, Procedures, and Forms. This project included making most forms ADA compliant and available to sign electronically. In addition, the agency implemented a review process administered by the General Counsel team. This review process ensures policy compliance with state laws, rules, and regulations. Having policies, procedures, and forms current ensure all employees follow the same process and increases efficiency.

Communication

In Fiscal Year 2020, the agency launched a redesigned intranet, Court Central, to communicate more effectively with all employees. Court Central provides current information that is easy to locate by subject and content. By providing accurate information on Court Central, employees have the opportunity to become more self-sufficient in managing their workload. All current policies, procedures, and forms can be found on Court Central.

Court Central is now the primary location of agency wide messaging and news. New hires utilize the website as their go-to source for onboarding activities and checklists. This provides for efficiencies by allowing Human Resources to focus on critical needs as well as reducing agency wide emails, thus saving management and IT resources.

Change Management

With technology advancements comes the need for specialized skills in change management. This may present a recruitment challenge. Creating job postings that accurately define the needed skill-sets will be critical to recruiting, hiring, and retention.

Self-Service

With the evolution of self-service platforms from Employee Retirement System (ERS) and the Centralized Accounting and Payroll/Personnel System (CAPPS), employees are required to take more initiative in managing their business. ERS is used by employees to manage benefits such as health insurance and retirement. CAPPS is used by employees to manage their time, leave, pay, as well as manage and receive their IRS tax documents. Information maintained in ERS and CAPPS is secured and accurate. Human Resources will continue to create desk aids and train staff in order to increase their ability to use the self-service platforms. This increases efficiencies and aligns with the strategic goals of modernization.

Strategic Development

In order for the agency to meet the demands of the future and ensure the workforce plan supports the mission, goals, and strategic plan, the following strategies will be implemented.

Strategy 1: Modernization

The agency will continue to modernize through on-going and new projects. With the implementation of the new case management system, eFile, new methods of conducting hearings, and updated forms and procedures, the agency will realize efficiencies. Through this transformation, employees will become more efficient and effective in their work product, from Hearings, Legal, to Operations.

Strategy 2: Organizational Training

The agency will continue to focus on developing agency-wide and targeted trainings. This encompasses the development of updated on-board training for new employees, the creation of a biennial schedule for regular and ongoing training on key topics for all SOAH employees, and the development of a strategy for consistent position-specific education and training for all SOAH employees.

In developing such a plan, SOAH will consider all available sources of training, including technological solutions.