

BIDS Well-Being Survey Report 2023¹

In early July 2023, the BIDS Well-Being Committee sent a survey link by email to every employee in the agency (about 197 people). There were 31 questions on the survey, all directed at well-being and retention issues. Employees were given about three weeks to complete the survey.

The questions remained similar to the surveys given in past years. The new questions this year were specifically aimed at diversity, equity, and inclusion efforts within the agency. The questions were largely multiple choice, but, where logical, questions gave employees an “other” choice to write in an answer if the pre-selected choices did not fit with their experiences.

For some questions, employees were allowed to pick as many selections as applied, but for others they were only allowed to pick three selections or one selection in an attempt to identify which issues should be prioritized. Three questions allowed for narrative answers.

There were 134 responses (about 68% of the agency), including 80 attorneys (59.7% of responses), 17 investigators/ non-attorney mitigation specialist (12.7% of responses), 33 administrative specialists/legal assistants (24.6 % of responses), and 4 non-attorney state-wide administrative positions (3% of responses). Of those 134 responses:

- 37% came from employees who have worked for BIDS 3 years or less
- 16% came from employees who have worked for BIDS 3-5 years
- 22% came from employees who have worked for BIDS 5-10 years
- 10% came from employees who have worked for BIDS 10-20 years
- 15% came from employees who have worked for BIDS 20 years or more

¹ Compiled by the BIDS Well-being Committee. Presented to the Director and Board of Indigents' Defense Services on August 11, 2023, by Kelly Driscoll, Deputy Public Defender, and Caroline Zuschek, Deputy Capital Appellate Defender.

POSITIVE IMPACTS ON WELL-BEING

Positive impacts to well-being were discussed in two questions. The first asked respondents to consider, from a fixed list of options, what top three things contribute most positively to their well-being. Good relationships with colleagues was the top answer, selected by 70.1% of respondents. That was followed by a flexible work schedule (57.5%) and the opportunity to perform meaningful work (46.3%).

The answers to this question and how those answers were ranked has remained consistent since 2020.

The second positive impacts question asked respondents to consider whether they would like to see continued any changes that have occurred in the agency in recent years. This question called for a narrative response. Highly summarizing the responses, increased pay, more training opportunities, and support from the administrative office are the top positive changes that people would like to see continued. Respondents have also enjoyed the opportunity to connect with people from other offices, to have increased flexibility with their schedules, the improvements in technology, and would like additional staffing increases.

NEGATIVE IMPACTS ON WELL-BEING

Respondents were also asked two questions regarding negative impacts on their well-being. The first question asked each respondent to choose three factors harming their personal well-being at work, while the second question asked individuals to choose the single biggest detractor from their well-being at work.

Three Biggest Detractors from Well-Being at Work

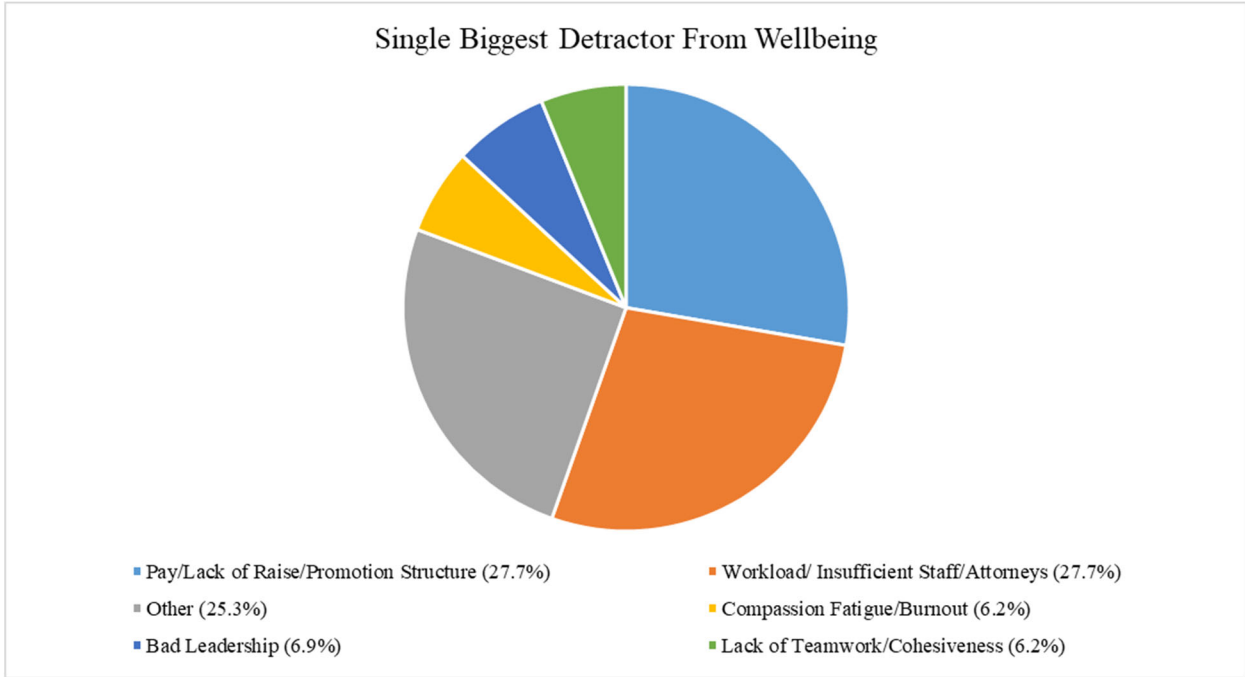
When asked to select three responses, individuals indicated their well-being at work was most harmed by: (1) insufficient pay (37.7%); (2) insufficient amount of staff/attorneys (32.3%); (3) workload (29.2%); (4) the lack of raise/promotion structure (27.7%); and (5) compassion fatigue and burnout (25.4%). It is difficult to compare this data from last year's data, because last year's data aggregated two questions, and some answers within the questions.

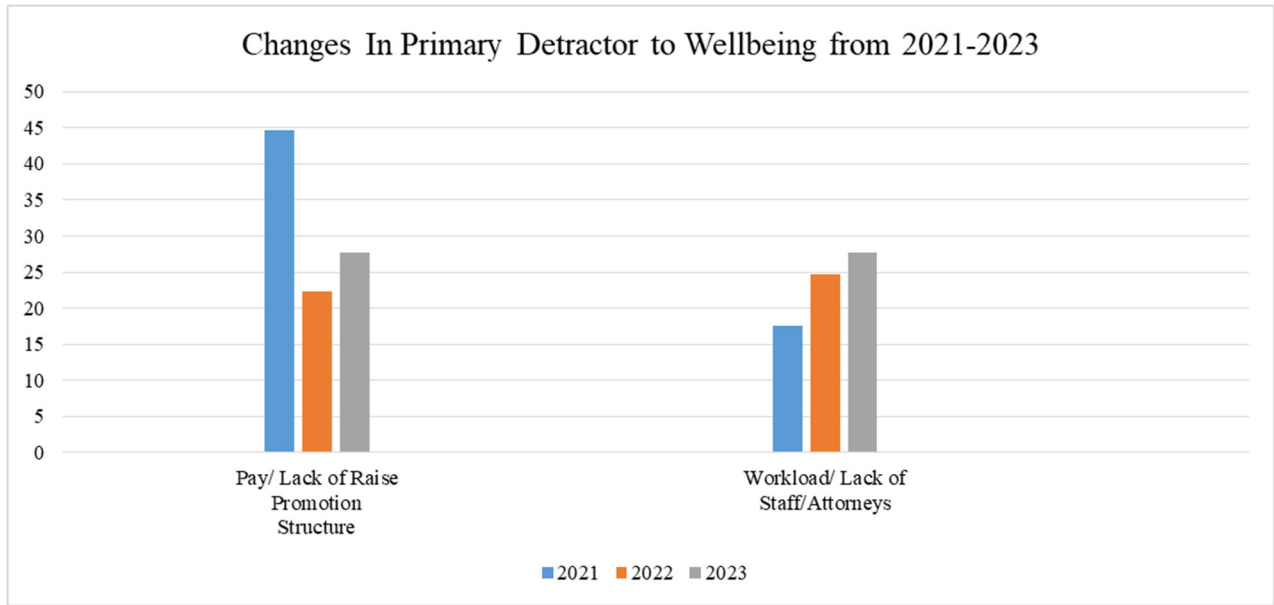
Still, if pay and lack of raise/promotion structure are aggregated, 65.4% (pay/lack of promotion/raise structure) of respondents answered that one or both of those was a top three detractor from their well-being at work, while 61.5% stated that insufficient staff/attorneys and/or workload was a top detractor from work well-being. Though the percentages cannot be compared to last year's figures, in 2022,

workload and staffing were bigger concerns for respondents, whereas this year, pay reemerges as the primary detractor for the greatest number of people when the question permitted multiple responses.

Single Biggest Detractor from Well-being at Work

When asked to select only a single response, the responses were largely consistent with the first question, although workload was the most commonly identified detractor, and pay, the second most commonly identified factor. Twenty percent of respondents indicated workload was the single biggest detractor to their well-being, while 18.5% indicated that insufficient pay was the primary detractor from their well-being. Just over 9% of respondents indicated that the lack of raise promotion structure was the biggest detractor to their well-being at work, while 7.7% indicated lack of staff and attorneys was their single biggest detractor from employee well-being. If aggregated, 27.7% of individuals indicated pay/lack of raise/promotion structure was the single biggest detractor to work well-being, and 27.7% indicated workload and/or lack of sufficient staff and attorneys was the single biggest detractor from well-being.



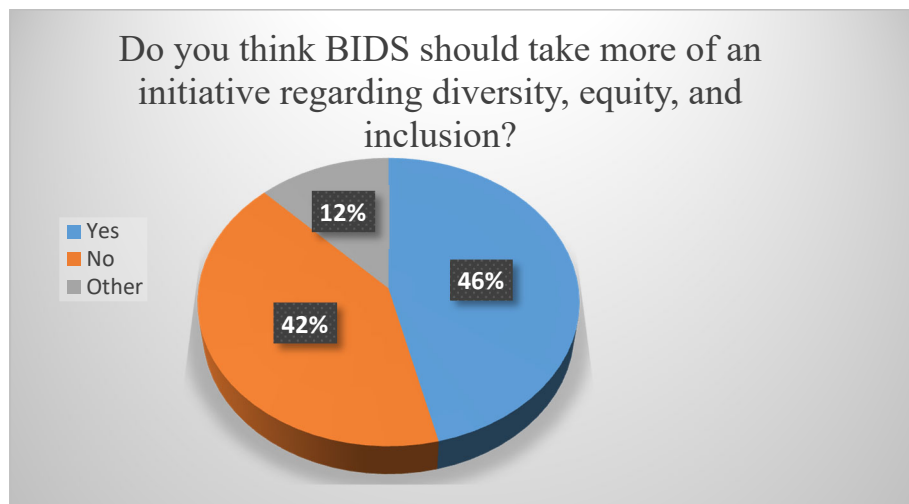


DIVERSITY, EQUITY, AND INCLUSION/ OFFICE CULTURE

Diversity, Equity, and Inclusion

For the first time, the survey asked respondents four questions regarding diversity, equity, and inclusion this year.

The first question was “Do you think BIDS should take more of an initiative regarding diversity, equity, and inclusion?” Overall, 46% of BIDS employees said yes; 42% said no. It should be noted that this question allowed for write-in responses which constituted the other 12% of responses.



The follow-up question to the first question was “If you answered yes, BIDS should take more of an initiative regarding diversity, equity, and inclusion, please explain.” There were 45 responses to this question. The theme to the answers touched on the need for more diversity within the agency as BIDS is an overwhelmingly white organization.

The next survey question was “My office currently has an initiative promoting diversity, equity, and inclusion.” 79% of responses said “No.” The follow-up question to that was, “If you answered yes, my office currently has an initiative promoting diversity, equity, and inclusion, please explain what your office is doing.” There were 17 responses to the follow-up question. Responses ranged from the deputy of the office working with the local bar association to encourage more diverse attorneys to work for their office to nothing formal, but everyone is included in office decisions.

In the question, “What issues DETRACT from your personal well-being at work? (Pick top 3).” Lack of diversity initiatives was one of the 20 options to choose from, and 4 employees chose that as one of the top detractors of their well-being at work.

Office Culture

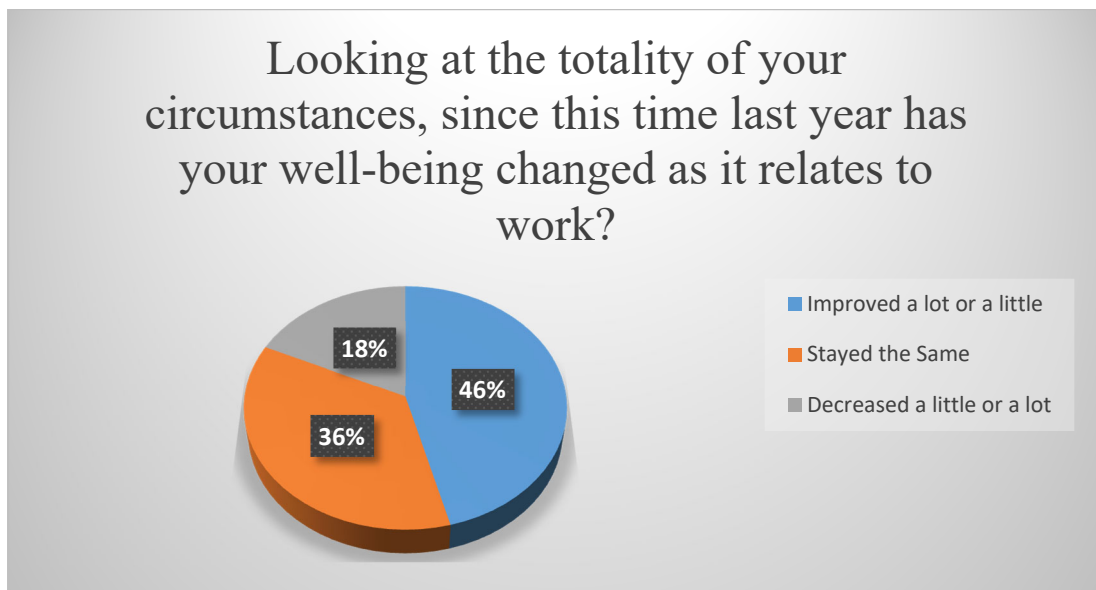
The same two questions were posed on this year’s survey regarding office culture as were asked in previous years.

The first asked employees to rate their office culture on a scale of 1-5 (with 1 being “terrible” and 5 being “wonderful”). 70% of BIDS employees scored their office culture positively (as a 4 or 5), which is a slight decrease from last year (77%). About 10% of employees scored their office culture negatively (as a 1 or 2), which is consistent with 2020.

The second question asked employees to rate whether they felt like they were part of a team or on their own on a scale of 1 to 5 (with 1 being “on my own” and 5 being “part of a team”). About 66% of employees scored their office positively (as a 4 or 5). About 20% scored their office negatively (as a 1 or 2). Employees indicated feeling on their own at a higher percentage this year than in any previous year.

CHANGES IN WELL-BEING IN THE LAST YEAR

For the third year in a row, BIDS employees were asked to rate how their well-being had changed since around the same time since last year. In 2021, 40% of those who took part in the survey said that their well-being improved (either a little or a lot). In 2022, 79% of employee's indicated improved well-being. This year, after factoring out employees who have not been with the agency for a full year, approximately 46% of respondents said that their well-being improved in 2023, while about 36% said that it stayed the same. Unfortunately, about 18% of respondents reported decreased well-being in 2023.



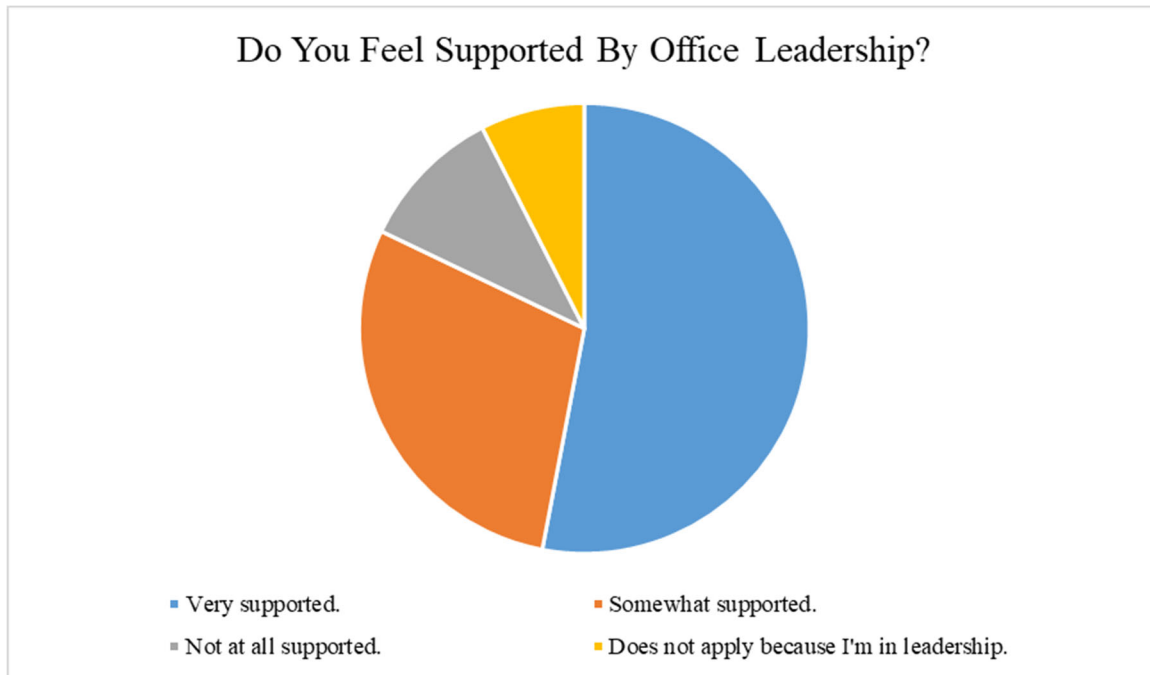
SUPPORT AND COMMUNICATION FROM LEADERSHIP

Respondents were asked three questions regarding support and communication from office leadership.

Support from Office Leadership

First, respondents were asked to rate how supported they felt by their office leaders. Over half of the employees who responded indicated they felt "very" supported by their leaders (53%). 29% of employees said they felt "somewhat" supported by their leaders, and 7.5% percent indicated they did not feel at all supported by their office leaders. Nearly 10.5% percent of respondents to this question were either chiefs or deputies were asked not to rate the communication from office leadership. The answers to this question varied only negligibly from last

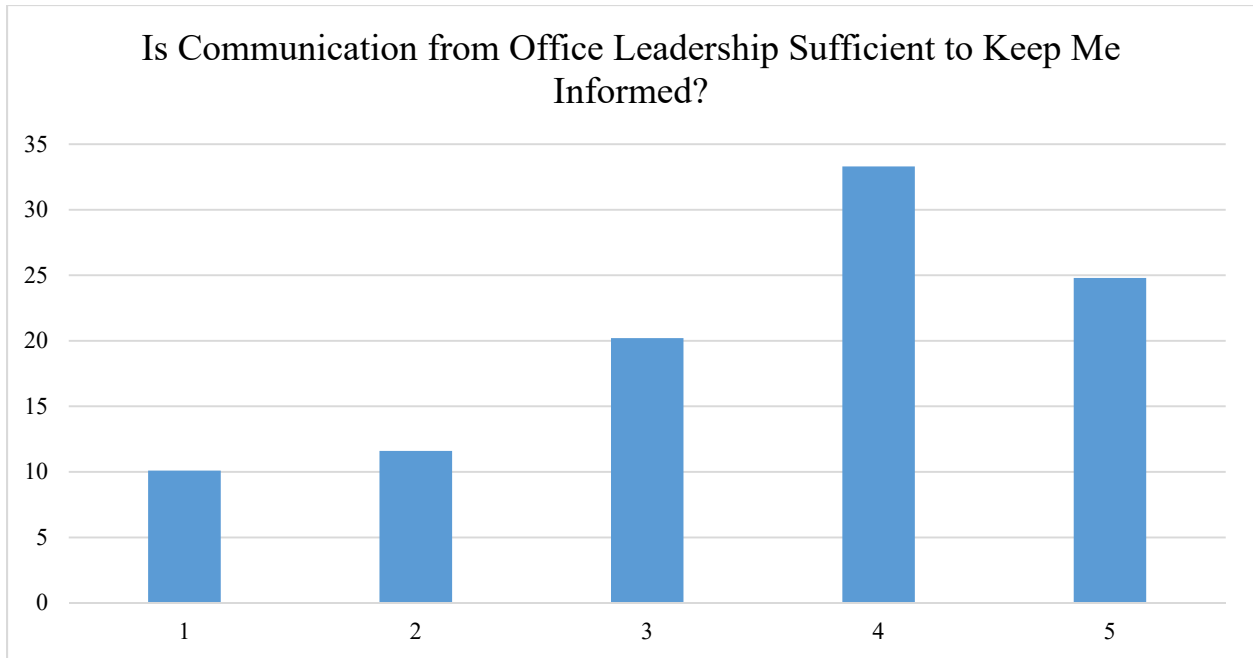
year's answers. In 2022, 56% of respondents felt very supported, 24% felt somewhat supported, and 7% did not feel supported.



Communication from Office Leadership: Methods and Sufficiency

Second, respondents were asked how their office leaders communicated with them and were asked to indicate all methods of communication utilized by their office leadership. Emails (46%), weekly office meetings (41.4%), monthly one-on-ones (24.1%), less frequent meetings (23.3%), and weekly one-on-ones (22.6%) were the most commonly cited communication methods. 13.5% percent of respondents said their office leadership did not communicate with them, and the remainder of the responses were from office leaders to whom the question did not apply.

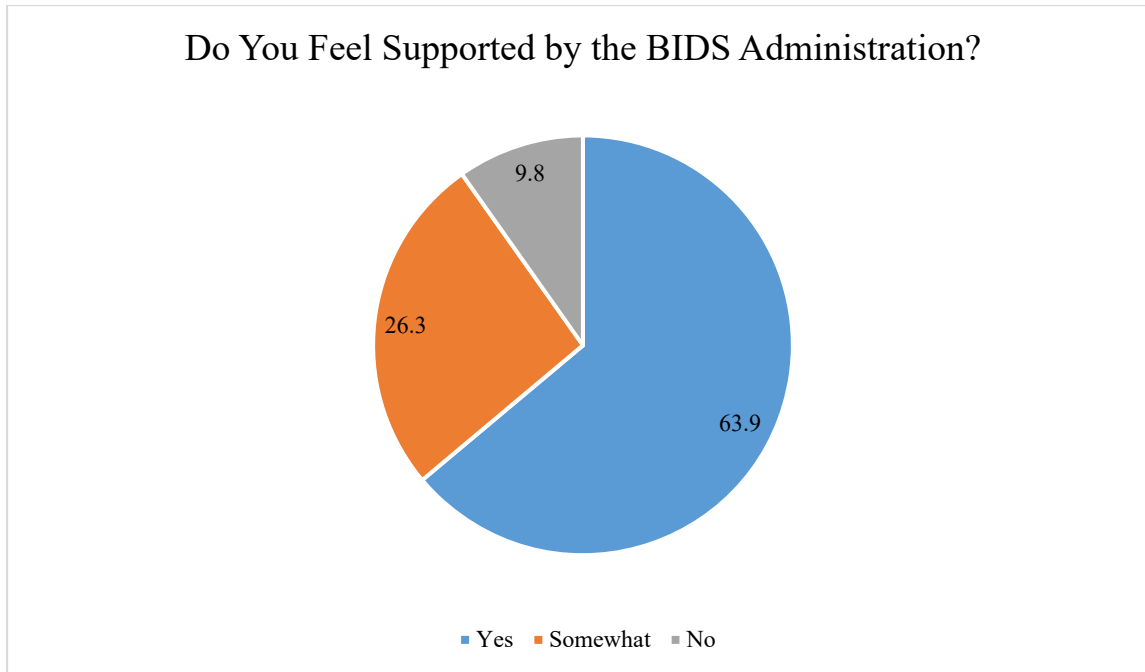
Third, respondents were asked whether they felt that the communication from their office leadership was sufficient to keep them informed. For this question, they could rate the sufficiency of the communication on a scale of one to five, with one being the worst, and five the best. Roughly 58% of employees rated the sufficiency of communication from their office leaders at a 4 or a 5. Approximately 20% rated their office leaders' communication at a 3, and nearly 22% found their office leaders' communication inadequate to keep them informed (a 1 or a 2 on the scale).



SUPPORT AND COMMUNICATION FROM BIDS ADMINISTRATIVE LEADERSHIP

Support from BIDS Administrative Office

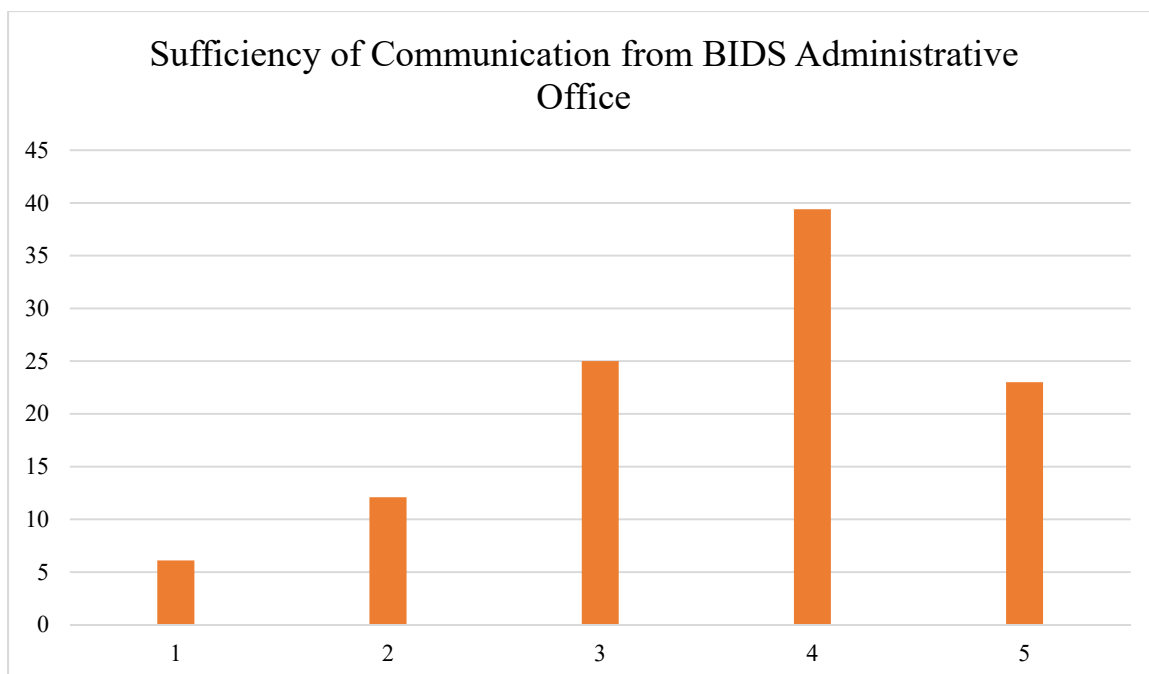
Respondents were also asked to indicate if they felt supported by the BIDS administration. Nearly 64% of respondents felt supported, while 26.3% of individuals responded they felt "somewhat" supported. 9.8% of individuals who responded said they did not feel supported by BIDS' current administration. The percentage of people indicating they feel supported by the BIDS administration has declined slightly since last year, when 76% of employees felt supported, 20% felt somewhat supported, and 4.5% did not feel supported. Still, respondents in 2023 rated their overall feelings of support more highly than they did in 2021, when only 54% of people responded that they felt supported.



Communication from the BIDS Administrative Office

The next question asked what type of communication from the BIDS Administrative Office each respondent preferred, and respondents could select multiple forms of communication. Of the 131 individuals that answered this question, 111 stated they preferred to receive administrative communication by email (84.7% of responses). Individuals also stated they appreciated: (1) visits to their individual offices (46.6%); (2) the presently defunct Rap Sheet (agency-wide newsletter) (42.7%); and (3) Zoom meetings (39.7%). Almost twenty percent of individuals said the BIDS website was a good source of communication (19.8%), and just over ten percent stated the BIDS Blog was a good source of communication from the BIDS Administrative Office (10.7%).

When asked whether communication from the BIDS Administrative Office kept respondents sufficiently informed, 56.8% of respondents rated the sufficiency of the communication as a four or five out of five, with five being the best. One quarter of respondents rated the sufficiency of communication from the BIDS Administrative Office at a 3 out of 5, and 18.1% of respondents rated communication as a 1 or 2 out of 5. Employees' satisfaction with communication from the BIDS Administrative Office is down slightly from last year, when 72% of respondents rated it as a 4 or 5, and approximately 10% rated it as a 1 or 2.



GENERAL OFFICE SUPPORTS

The survey asked three questions about general supports within the respondents' offices. The first question asked employees what supports are present now and, employees were allowed to select each applicable answer. The top three most commonly selected supports were: helpful colleagues (82.7%), a supportive boss or office leadership (64.7%), and good resources like supplies and access to experts (47.4%).

The Well-Being Committee rephrased the answers to this question from previous years in order to not differentiate between staff and attorneys. Thus, "helpful colleagues" replaced "good colleagues" and "good support staff." Because good colleagues and good support staff were typically both in the top three answers in past years, combining them moved a new answer in the top three: good resources. Even so, the percentage of responses who indicated good resources existed as a general support in their office was significantly higher than in the past and each year's survey allowed respondents to select any answer that applied. This year 47% of respondents selected good resources, compared with 32% in 2022, 33% in 2021, and 32% in 2020. Having access to good training has continued to increase each year of the survey, and 34.6% indicated that existed as a general support in their office in 2023.

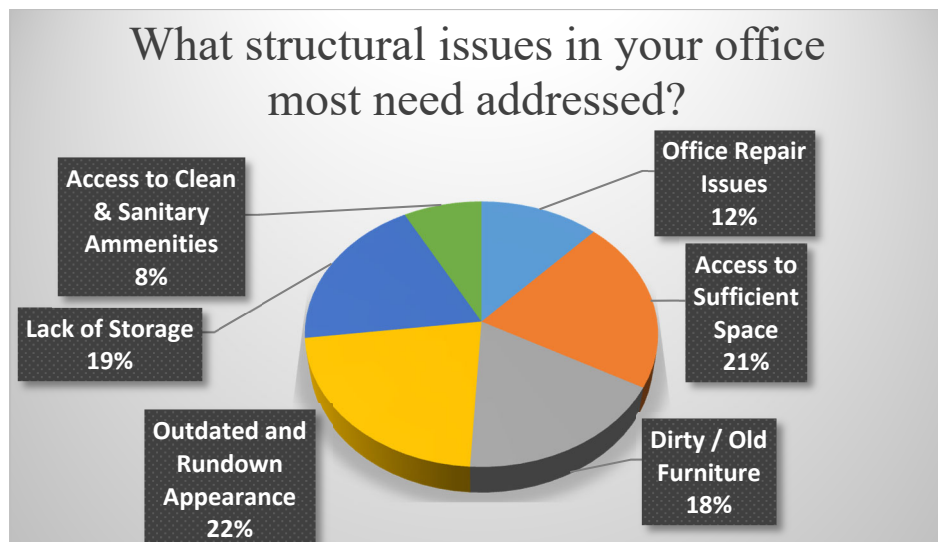
The second question in this category asked employees what additional office supports they would like to have, and asked each respondent to select their top three choices. The top three answers were: (1) more up-to-date technology (48.5%); (2) more attorneys and staff (47%); and (3) caseload limits (28.8%).

The top three responses to this question have changed this year. Although more technology and more staffing have been the top two issues each year of the survey, in past years, the third most requested office support was more training.

Moreover, the percentage of respondents requesting caseload limits has increased significantly from past years, in 2022 it was 7.79%, in 2021 it was 9.7% and in 2020 it was 12%.

Correcting structural office issues also emerged as a more pressing concern for respondents this year, with 23.5% of respondents indicating it was a top-three priority. The survey added an additional question to help identify what types of structural issues are impacting the well-being of our employees.

The third question, which was asked for the first time this year, was what structural office issues most need to be addressed and asked respondents to select their top three choices from the following: office repairs, access to sufficient space for all employees, replacing or updating dirty or old furniture, repairing or modernizing outdated and rundown office space, addressing the lack of storage, and providing access to a clean fridge/clean water and/or a generally sanitary work place. The primary concern for employees was generally outdated and rundown office space at 48% (59 responses), followed closely by a lack of access to sufficient space for all employees at 45.5% (56 responses), a lack of storage space at 41.5% (51 responses), and dirty and old furniture at 39% (48 responses). Office repair issues (26%, 32 responses) and access to clean water and generally sanitary work conditions (17.1%, 21 responses) also were commonly selected. Some offices have arrangements where employees share the expense to pay for clean drinking water so that may account for a lower percentage of employees picking that option in this survey.



WELL-BEING PRIORITIES

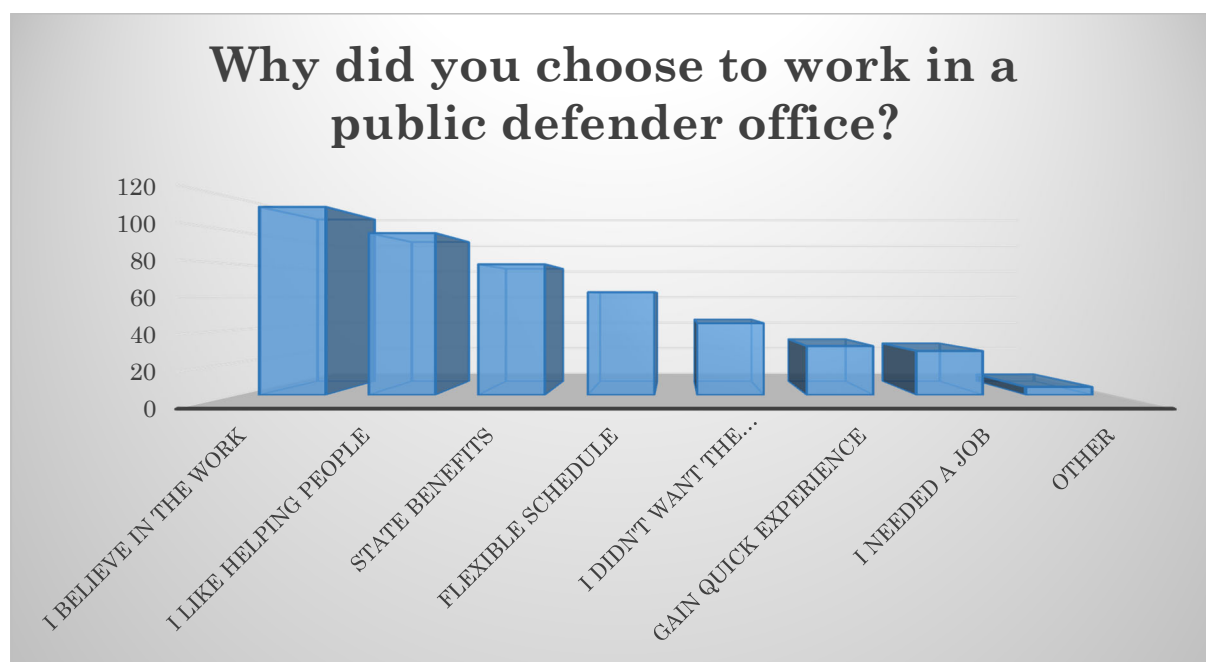
Employees were asked whether their well-being at work has remained the same, improved, or worsened over the last year. For the largest group of people (41.8%) well-being has improved. However, 32.8% of people reported that their well-being has remained stagnant and 16.4% reported that their well-being has worsened (the remaining 9% were new to BIDS in the last year).

In order to set well-being priorities for this next year so that we can increase the number of people who notice improvement in their well-being at work, we asked two questions. The first asked people to consider, from a fixed list of responses, what single issue most negatively impacts their well-being at work. The top two responses, by a significant margin, were workload (20%) and pay (18.5%).

Second, respondents were asked to provide suggestions for one low or no-cost thing that could be done to improve morale within their office. This question called for a narrative response. Highly summarized, the number one cost free thing that people want is more recognition for the work that they are doing. After that, people would like clearer communication and expectation setting from both their internal office management and the BIDS administration, improved technology within their offices, and janitorial services.

EMPLOYEE RETENTION

Five questions were asked regarding employee retention. The first question asked why the employee chose to work in a public defender office. For this question, employees were allowed to check each answer that applied. Percentages reflected are a percentage of the 134 answering employees who selected a given answer. Much like the last few years, a large percentage of employees listed either “I believe in the work” or “I like helping people” as reasons they began work in a public defender office (about 86% and 74% respectively). Benefits (listed as being things like health insurance and retirement) also increased from last year by about ten percent (to 60%). Flexibility of schedule was also up again this year (47%, up from 39% in 2022).



The second and third questions in this category asked employees if they’ve thought about leaving the public defender office in the last year, and, if so, why. There were 133 responses to this question. This year the response was almost an even split. 67 employees (about 50.4% of respondents) reported that they have not considered leaving the public defender office in the past year. The remaining 66 respondents (about 49.6%) reported that they have considered leaving the public defender office in the past year. This represents about a 3% positive change from employee answers in 2022. The 66 employees who reported that they had considered leaving were asked the follow-up question: “Why were you considering leaving?” There were 65 responses to this question. Employees were allowed to check each answer that applied. Percentages reflected are a percentage of the 65

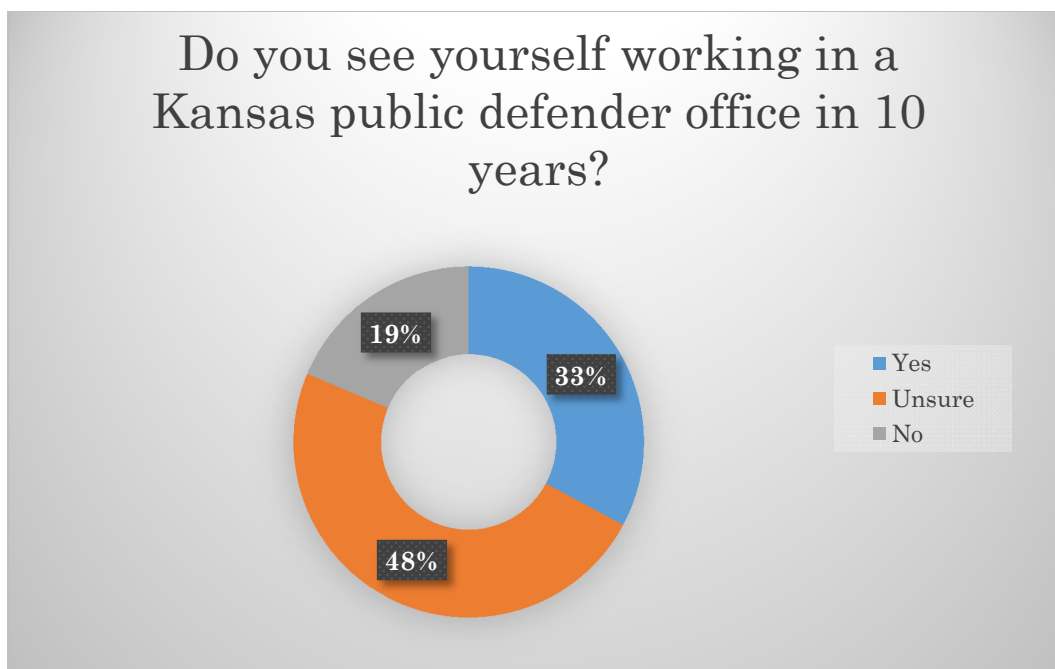
answering employees who selected a given answer. Pay remains the top reason employees considered leaving, though it is down about 10% from last year. Much like previous years, compassion fatigue/burnout was a significant reason respondents considered leaving the agency. This year the lack of opportunities for advancement was separated from pay as a possible response, and was the third most frequently selected reason individuals considered leaving BIDS, just ahead of workload, which was the fourth most commonly selected reason.



The fourth and fifth questions in this category asked employees if they see themselves working in a Kansas public defender office in 10 years, and, if not, why not. There were 134 responses to this question. About 19% of employees who responded (about 25 employees) reported that they do not see themselves working in a Kansas public defender office in 10 years. Just shy of 33% of respondents (about 44 employees) reported that they do see themselves working in a Kansas public defender office in 10 years. Roughly 48% of respondents (about 68 employees) reported that they were unsure if they see themselves working in a Kansas public defender office in 10 years.

These responses are comparable to the results of last year's survey. All 134 employees who answered were asked the follow-up question: "What would have to change to make you want to stay?" There were 87 responses to this question excluding the response "I answered 'yes'". Employees were allowed to select each answer that applied. Percentages reflected are a percentage of the 110 answering employees who selected a given answer. This chart only lists answers that were given by more than 10% of this group. Overall, "pay increases" (46%) and

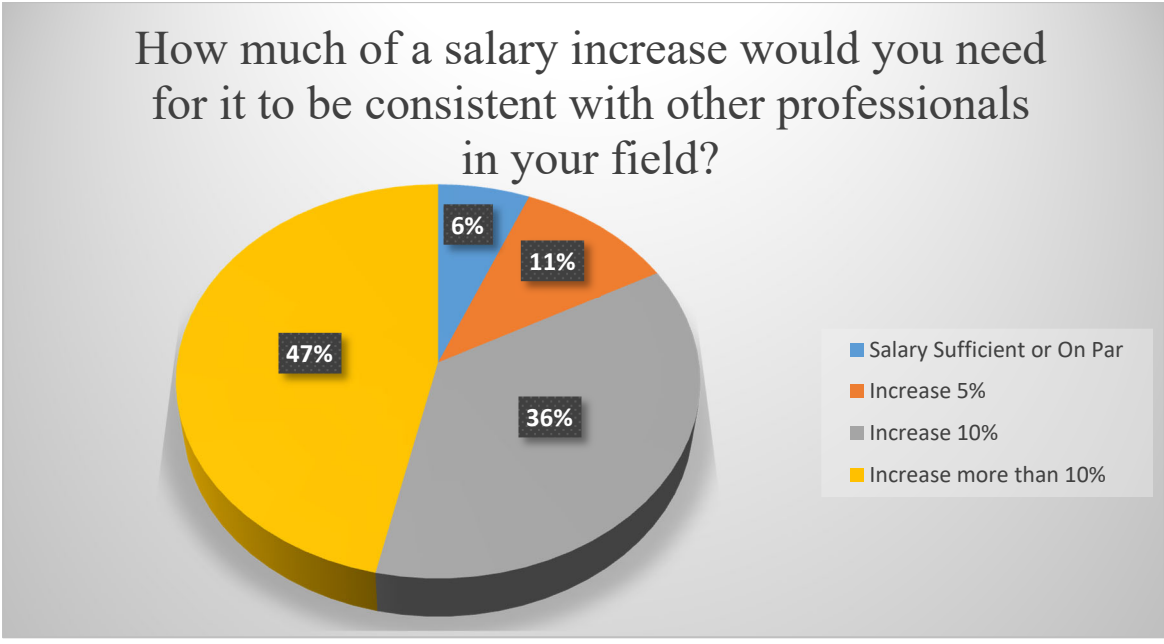
“opportunities for promotion” (29%) were in the primary factors that respondents indicated would make them want to continue in Kansas public defense. “[R]esources to deal with burnout/compassion fatigue[,]” “better physical office space” (19%) and “caseload/workload decrease” (18%) were also commonly identified factors that could increase an employee's desire to stay with the agency over the next 10 years. 17% of respondents indicated that they planned to retire within the next 10 years, making that the fifth most common response to the question.



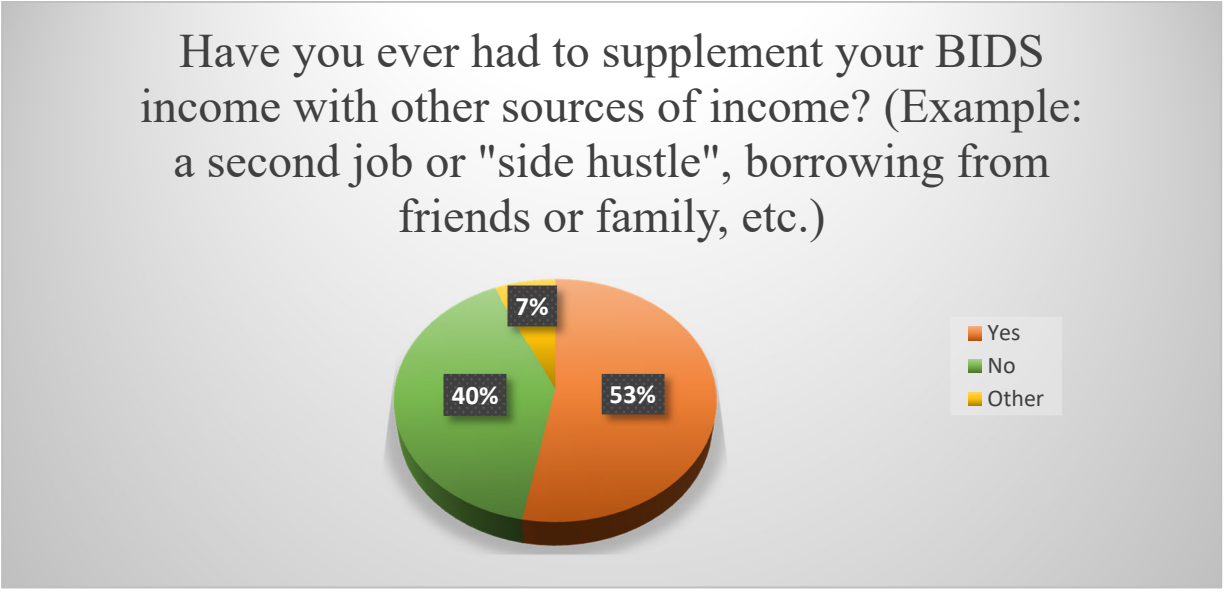
PAY AND WORKLOAD

Pay

This survey posed three specific questions regarding pay and workload. First, respondents were asked how much their salary would have to increase to be consistent with the salaries of other professionals in their field. Respondents indicated that to achieve parity with other professionals in their field, the highest number of respondents indicated their salary would need to increase by more than 10%, and the second highest number of respondents indicated their salary would need to increase by 10%. Aggregated, 83% of respondents indicated a salary increase of 10% or more would be necessary to achieve pay parity with other professionals in their field.

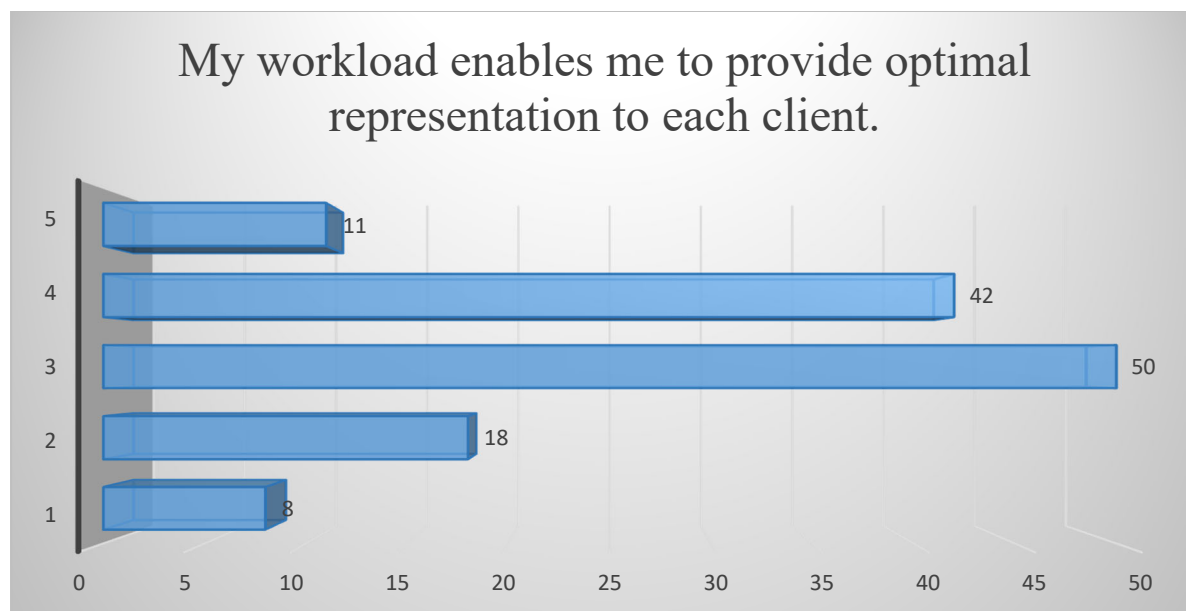


Second, respondents were asked: Have you ever had to supplement your BIDS income with other sources of income? Almost 60% of BIDS employees reported that they have had to supplement their income with a second job, help from friends or family, or another additional source of income. This question should be asked again next year with a more limited time frame (i.e., “In the past 12 months, have you had to supplement your BIDS income...”) to see if the recent pay scale adjustments have made a difference in the answer to this question.



Workload

To gauge workload's impact on employees' feelings about the quality of representation they provide, respondents were given the prompt "My workload enables me to provide optimal representation to each client (on a scale of 1 to 5)" with 5 indicating the highest level of agreement with the statement. 60% of respondents responded with a 1, 2, or 3, presumably indicating their workload did not permit optimal representation of each client. 40% of respondents indicated that their workload permitted some level of optimal representation.



CONCLUSIONS

As in past years, BIDS employees are mission-driven, want to help people, and like working with their colleagues. This year, the data indicates a serious need to focus more on diversity, equity, and inclusion. Pay and workload/insufficient staffing continue to be the biggest concerns for the greatest number of employees. Despite pay increases in the past three years, pay parity remains a central issue.