

AFFIRMATIVE ACTION PLAN UPDATE

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ATTACHMENTS

- Equal Opportunity Policy (Attachment 1)
- Sexual Harassment Policy (Attachment 2)
- Interviewing Policy Attachment 3)
- Employee Profile (Attachment 4)
- Utilization (Attachment 5)
- EEO 4 Report (Attachment 6)



INTRODUCTION

The purpose of this Affirmative Action Plan is:

- To reaffirm the Colorado Department of Transportation commitment to equal employment opportunity in accordance with the principles, intent and purpose of civil rights laws and regulations;
- To reaffirm the department's position that affirmative action is an effective, legal tool for achieving Equal Employment Opportunity; and,
- To present the department's Equal Employment Opportunity and Affirmative Action programs.

The Colorado Department of Transportation is responsible for a 9,156 mile highway system, including 3,714 bridges. Each year, this system handles over 26.1 billion vehicle miles of travel. Although the Interstate system accounts for only about 10 percent (915 miles) of the total mileage on the state system, 40 percent of all travel takes place on our Interstate highways. The highway construction program is managed by CDOT and built by private contractors. This partnership between government (CDOT) and business works well as we improve and expand our transportation system.

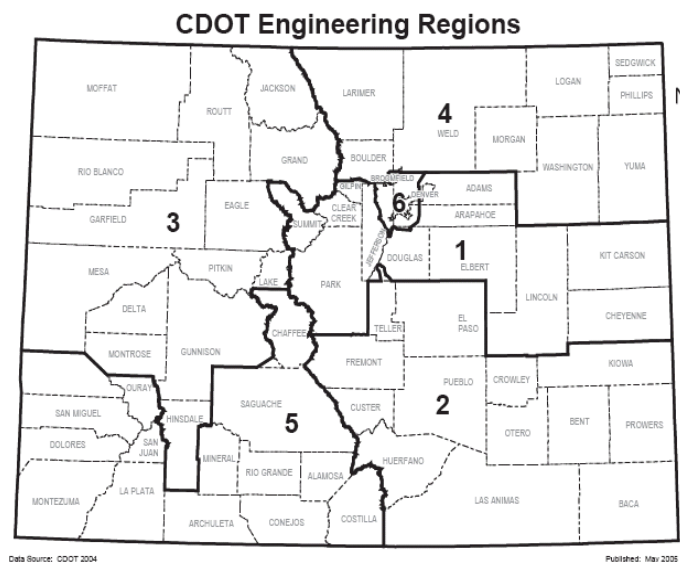
CDOT maintenance forces take care of the highway system, plowing snow and repairing pavement. But CDOT is more than roads and bridges. The Division of Aeronautics supports aviation interests statewide, including grants to help improve local airports. CDOT's Transit Unit provides assistance to numerous transit systems in the state. And the Office of Transportation Safety helps local law enforcement agencies with special funds to apprehend drunk drivers and increase use of safety belts.

CDOT Executive Director is Russell George. Mr. George is responsible for the overall direction and management of CDOT, with a staff of more than 3,000 employees. All Headquarters and Regional CDOT employees, including temporary staff, are included in the Affirmative Action Plan and EEO-4 Report.



Organization Structure

CDOT Headquarters organization structure consists of the Division of Human Resources and Administration (including the Center for Equal Opportunity), Division of Accounting and Finance, Division of Transportation Development, Division of Engineering and Maintenance (including labor and contract compliance), Division of Aeronautics, Division of Audit, Office of Policy and Government Relations, Office of Public Relations, Office of Transportation Safety, and Information Technology Office.

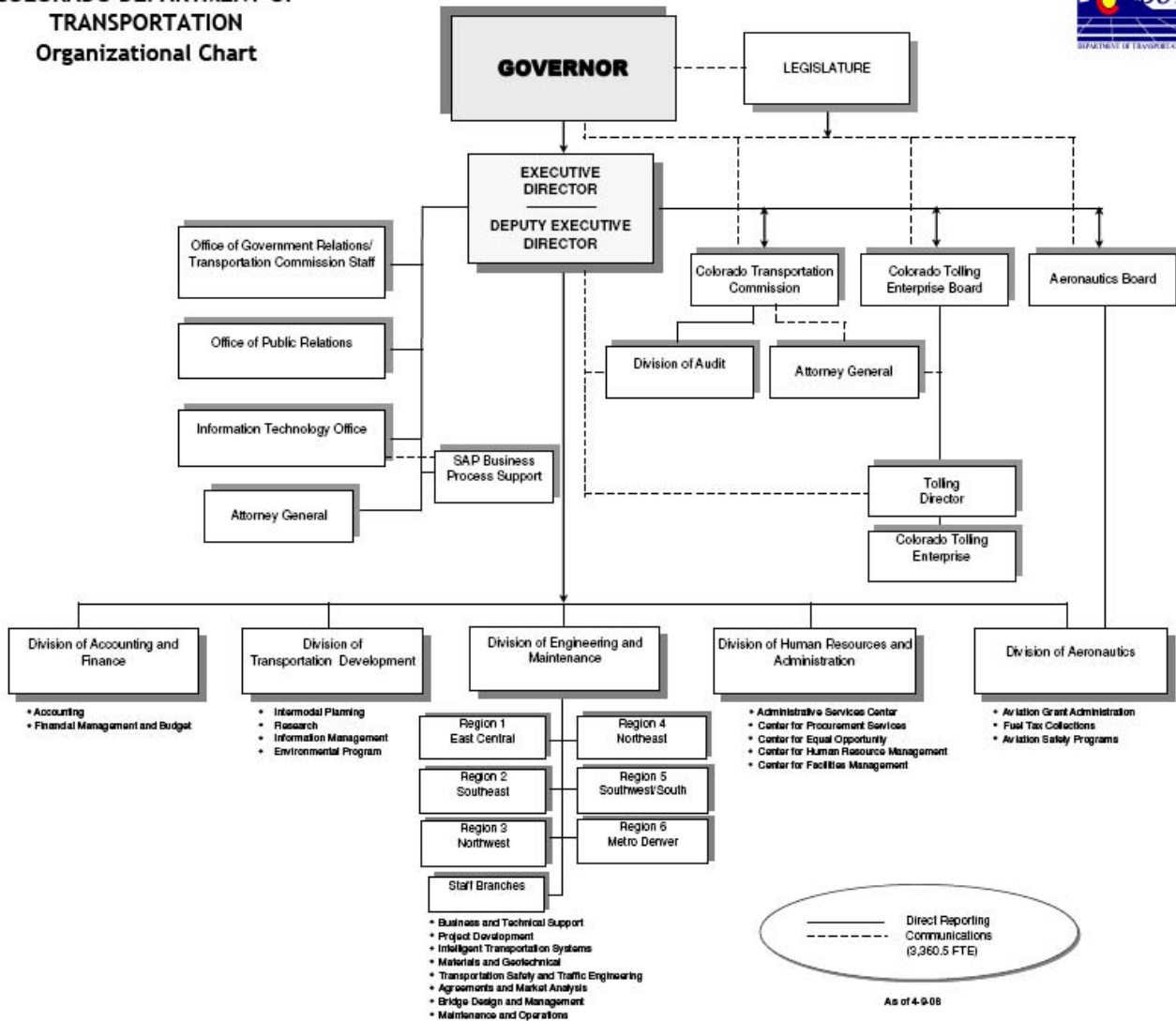


CDOT has established six engineering Regions across the state in order to decentralize many of its design, construction and maintenance project functions. Each CDOT Engineering Region is a semi-autonomous operating entity covering all aspects of CDOT operations for that Region. Therefore, each Region covers engineering, maintenance, planning and environmental management, traffic, right-of-way and surveying, utilities, and human resource management of its area. Each Region employs a Regional Civil Rights Manager. In partnership with headquarters civil rights staff and the Contract and Labor Compliance staff the Civil Rights Managers are responsible for a variety of EEO and labor compliance activities including contract compliance reviews, internal and external EEO investigations and training within their region. Regional Civil Rights Managers also work with the Center for Equal Opportunity on Business Programs including the Disadvantaged Business Enterprise (DBE) program and On-the-Job Training.



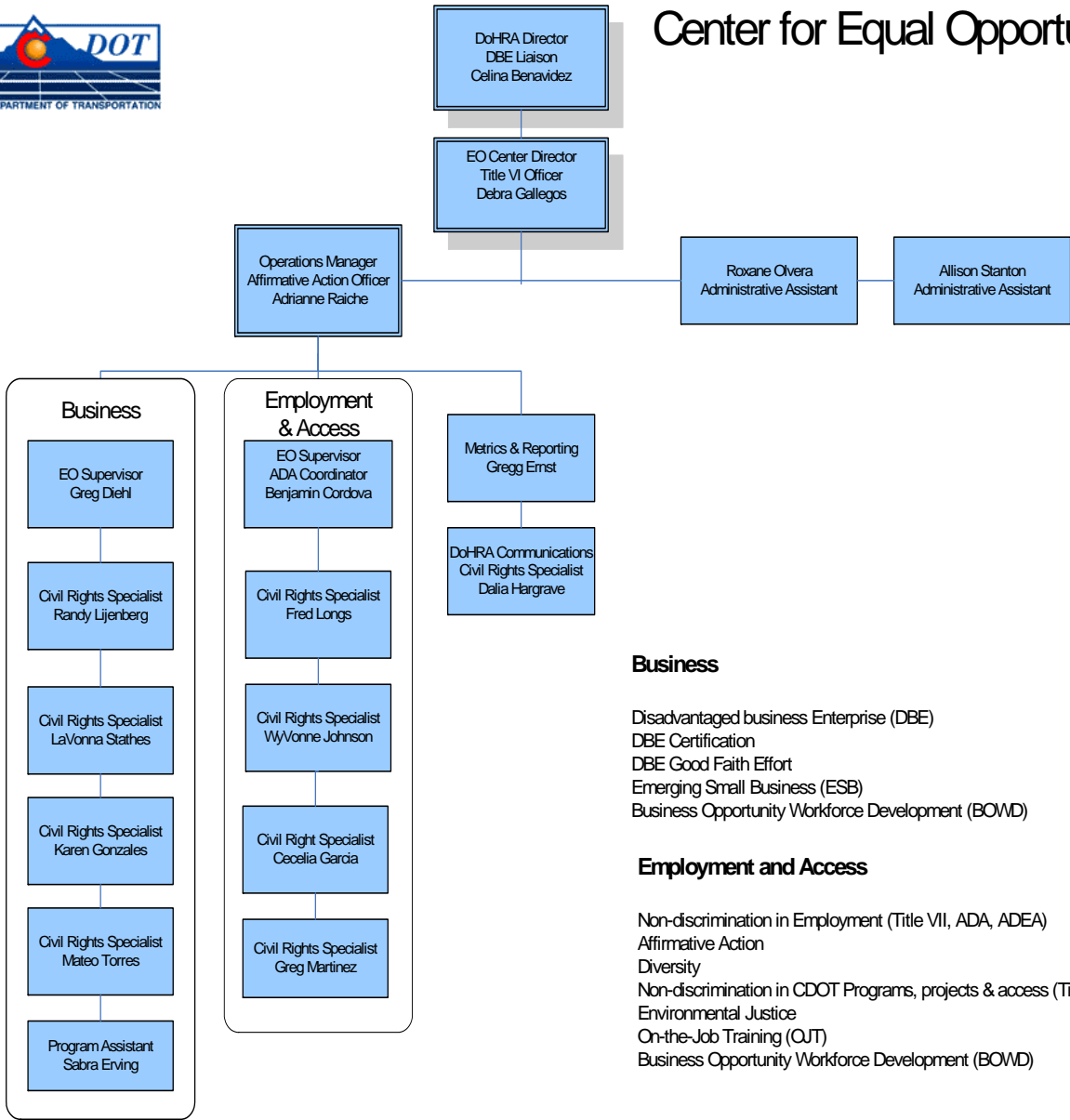
Organizational Chart

COLORADO DEPARTMENT OF TRANSPORTATION Organizational Chart





Center for Equal Opportunity



Business

- Disadvantaged business Enterprise (DBE)
- DBE Certification
- DBE Good Faith Effort
- Emerging Small Business (ESB)
- Business Opportunity Workforce Development (BOWD)

Employment and Access

- Non-discrimination in Employment (Title VII, ADA, ADEA)
- Affirmative Action
- Diversity
- Non-discrimination in CDOT Programs, projects & access (Title VI, ADA)
- Environmental Justice
- On-the-Job Training (OJT)
- Business Opportunity Workforce Development (BOWD)

11/10/2008



REGIONAL CIVIL RIGHTS MANAGERS

Region 1	Micki Perez Thompson
Region 2	Mary T. Dugan
Region 3	John “Chip” Brazelton
Region 4	Wendy Miller
Region 5	Alice Baker
Region 6	Micky Vialpando

LABOR AND CONTRACT COMPLIANCE

The Labor and Contract Compliance programs are located centrally in the Headquarters Programs and Project Analysis unit in Staff Branches in the Division of Maintenance and Engineering (see organization chart p. 5).

Labor and Contract Compliance Manager BethAnn Wieder
Specialist Erin Campbell



Reaffirmation of Equal Opportunity

CDOT will ensure that no person shall, on the grounds of race, color, religion, gender (including sexual harassment), sexual orientation, national origin, age, political affiliation, organizational membership, veteran's status, disability or other non-job related factor, be excluded from participation in, be denied the benefit of, or be subjected to discrimination or harassment under any program or activity receiving state or federal financial assistance directly or indirectly by CDOT.



AFFIRMATIVE ACTION PLAN RESPONSIBILITIES

Debra Gallegos, Director of the Center for Equal Opportunity, is responsible for the direction and implementation of the statewide equal opportunity program. The Center for Equal Opportunity is responsible for but not limited to the following:

- Developing policy statements, affirmative action programs, internal and external communication
- Assisting in the identification of problem areas
- Assisting managers and supervisors in arriving at solutions to problems
- Designing and implementing reporting systems that will:
 - Measure the effectiveness of the AAP
 - Indicate the need for corrective action
 - Determine the degree to which goals and objectives have been attained
- Serving as liaison between minority organizations, women's organizations, and community action groups concerned with employment and contracting opportunities of minorities and women
- Keeping management informed

Managers, supervisors and employees are responsible for:

- Assistance in the identification of problem areas and establishment of goals and objectives
- Active involvement with local minority organizations, women's organizations, community action groups, and community service programs
- Regular discussions with local managers, supervisors and employees to be certain that equal employment policies are being followed
- Communicating that work performance is being evaluated on the basis of equal employment opportunity efforts

- Review of the qualifications of all employees to ensure that minorities and women are given full opportunities for transfers and promotions
- Career counseling for all employees

Part I- REPORTS OF THE RESULTS OF FY 2008 AAP

The Contract and Labor Compliance Manager and Regional Civil Rights staff accomplished the following:

- **Federal-aid Highway Construction Contractors Annual EEO Report (Form 1391)-** Forms 1391 were collected electronically and reviewed by civil rights staff.
- **Contract reviews-** Civil rights staff ensure that FHWA Form 1273 is included in contract and subcontract documents; CDOT specifications require that the contractor include prompt payment requirements in written subcontracts.
- **Contract compliance reviews –** CDOT was able to conduct 17 of the 18 planned compliance reviews.

Number of compliance reviews conducted	17
Number of project contract compliance reviews	0
Number of area wide contract compliance reviews	17
Number of contractors reviewed	17
Number of contractors found in compliance	17
Number of contractors found in noncompliance	0
Number of show cause notices issued	0
Number of show cause notices rescinded	0
Number of review decisions pending	0
Number of follow up reviews conducted	0

- **Training-** Labor and Contract Compliance classes for contractors were conducted in Denver, Grand Junction, Alamosa and Grand Junction. Classes for local agencies were held periodically throughout the year.
- **Complaints-** There were no EEO complaints.
- **Sanctions-** There were no progress payments withheld or other sanctions for EEO deficiencies.

Affirmative Action for FY 2009 CDOT will focus on the following areas:

- **Training-** Classes for construction prime and subcontractors will be held in Denver, Grand Junction and an additional location to be determined.
- **Minority and female recruiting-** CDOT will continue to work with community and school recruiting resources and training programs to increase women and minority construction workers in the skilled crafts.
- **Compliance Reviews-** CDOT will conduct 18 compliance reviews.
- **On-site assistance-** CDOT will continue to provide on-site training and assistance to contractors.



Part II-REPORT OF RESULTS OF FY 2008 AAP

CDOT successfully implemented new initiatives identified in the FY 2008 Affirmative Action Plan including the following:

- **Workforce analysis**-CDOT's employee profile reflects the workforce availability in almost all job categories. We have made significant progress in placement and promotion of minority and female employees in our previously underutilized job categories, specifically:
 - Black male and female engineers
 - Hispanic male and female engineers
 - Female and minority managers
 - White female maintenance workers

- **Reaffirmation of Equal Employment and Non-discrimination Policies**

Equal Opportunity staff worked with the Executive Management team to reaffirm civil rights policies and commitments. An employee outreach effort to emphasize manager, supervisor and employee civil rights responsibilities was completed this fiscal year. Outreach included:

 - Employee meetings
 - Intranet messages
 - Monthly articles in the online *RTD Bulletin*
 - Signage
 - Classroom training (updated this year)
 - E-Learning (disseminated to all supervisors and managers)
 - Written affirmation by Executive Director Russell George and Chief Engineer Pam Hutton.

- **Reaffirmation of Equal Opportunity and Diversity Management in Performance Appraisal and Performance Management process**- CDOT includes Diversity and Equal Opportunity commitment in employee and supervisor performance evaluations.

- **Training**
 - All new employees received Diversity Training and training on Preventing and Handling Workplace Harassment as part of CDOT's mandatory training program.
 - Maintenance Supervisors received civil rights training as part of the M2020 training program

- **Diversity Management**
 - CDOT worked to strengthen consultative relationships with managers and supervisors to support and improve their EEO and Diversity responsibilities.
 - Center staff implemented Diversity Month in April of 2008 with a proclamation from the executive Director and a video to celebrate the diversity of CDOT workforce.

- **Recruitment and Outreach Efforts**—CDOT Center for Equal Opportunity staff attended events throughout the year to recruit and maintain a diverse and qualified CDOT workforce.
 - The EO Center placed advertisements in minority publications including, *El Seminario*, *Pueblo Chieftain*, *Urban Spectrum*, *Caminos*, *LaVoz*.
 - EO Center and Human Resource Staff supported Career Fairs and Student Minority Organization events at Colorado School of Mines, University of Colorado Boulder, University of Colorado Denver, Colorado State University Ft. Collins, and Colorado State University Pueblo.
 - EO Center Staff participated in two Diversity Career Fairs.
 - EO Center and Regional Civil Rights staff participated in the planning and delivery of the Colorado Construction Career Days events in Denver and in Colorado Springs. The events provided hands-on introduction to a variety of career opportunities in highway construction to over 2000 students.
 - In partnership with FHWA and Colorado State University in Pueblo the Center implemented a two week Summer Transportation Institute to introduce high school students to career opportunities in transportation engineering.
 - Center for Equal Opportunity staff hosted a booth and an Open House as part of CDOT's Employee Information Fair.

The event offered an opportunity to showcase EO Center programs and services.

- The EO Center hosted a celebration to honor Civil Rights allies throughout CDOT. This *Allies Event* is an annual celebration of civil rights and the people within CDOT who partner with Center for Equal Opportunity staff and Regional Civil Rights Managers to implement successful civil rights initiatives.
- Through the Center for Equal Opportunity, Making a Connection Consortium (MACC) trained over 150 students and placed over 70 people from traditionally underutilized communities in entry level construction jobs.

- **Reporting and Metrics**

- The centralized civil rights complaint database tracks complaints and employee counseling and identifies statewide trends and opportunities to improve civil rights compliance.
- Center staff compiles and distributes quarterly statewide and regional utilization reports to track CDOT workforce and identify affirmative action results and opportunities . The Employee Profile and Utilization Analysis reports as of September 30, 2008 are attached.
- Center Staff is working to produce usable adverse impact reports and salary analysis reports to identify areas for improvement.

- **Reaffirmation of Equal Employment Responsibilities (Civil Rights Staff)**

- Investigate discrimination complaints
- Investigate workplace harassment and sexual harassment complaints
- Coordinate outreach recruitment efforts for underutilized class candidates
- Ensure examinations are non-discriminatory
- Monitor Department Affirmative Action/EEO activities
- Coordinate Persons with Disabilities Program (Section 504, Americans with Disability Act), including reasonable accommodations
- Act as consultants to managers and supervisors in carrying out their EEO and Affirmative Action responsibilities
- Ensure employees are not disciplined in a discriminatory

- manner
 - Provide career counseling and guidance for employees
 - Monitor hiring/promotions
 - Monitor pay
- **Reaffirmation of Equal Employment Responsibilities (Managers and Supervisors)**
 - Work with Civil Rights staff to resolve discrimination and sexual harassment complaints, as well as reasonable accommodation requests
 - Participate in outreach recruitment efforts
 - Ensure that employees and candidates are provided with equal opportunity for hiring, training, promotion, transfer, career counseling and reasonable accommodation
 - Prevent any harassment of employees
 - Support the implementation of the affirmative action plan

Affirmative Action for FY 2009 - There are several areas of opportunity where progress has been made on a limited basis.

Underutilization exists in the following job classifications as follows:

- Business Operations Specialists -3 WF
- Civil Engineers -8 WF
- Engineering Technicians and Assistants -4BM
-2BF
-2AF
-2HF
- Accounting Technicians -4 WF
- Highway Maintenance Workers -3BF
-2AM
-6HF

Affirmative Action Goals for 2009 for underutilized classifications are:

- Business Operations Specialist 1 WF
- Civil Engineers 2 WF
- Engineering Techs/Assistants 2 BM
1 BF
1 AF
1 HF
- Accounting Technicians 2 WF
- Highway Maintenance workers 2 BF
1 AM
3 HF

Given the constraints on hiring given the governor’s hiring freeze(instituted on October 1, 2008) there will be continued focus on improving recruiting, hiring and promotion in these areas so that the Affirmative Action goals can be met including the following:

- **Out-of-state Recruiting---** Although the State of Colorado prohibits recruiting non-Colorado residents, the Center for Equal Opportunity will pursue obtaining a waiver to recruit out of state for positions where significant underutilization exists.
- **Maintain minority/female Parity---**Center for Equal Opportunity staff will strive to maintain parity in all categories and classifications that are at parity through emphasis on equal employment and diversity programs and activities at CDOT.



- **Recruitment of female Engineers**—Although CDOT participates in career fairs and student minority organization events, we remain underutilized in this job group. Renewed focus in recruitment, as well as developing new ways to reach the market continues to be a major focus for CDOT.
- **Underutilization Research Study** When the Governor rescinds the hiring freeze, the Center for Equal Opportunity plans to sponsor a research study to determine the causes of under-representation in the Engineering series. The Center will take action as appropriate when the study results are available.
- **Recruitment of female and minority maintenance workers**—CDOT continues to struggle with filling maintenance worker positions in many areas of the state, and thus making it even more difficult to recruit women and minorities for these positions. Developing new ways to reach the market for these positions will continue to be a major focus. Maintenance positions are generally hard to fill in many areas in Colorado because of the high cost of living in the mountain communities, competition from local government and higher wages and benefits from private industry. CDOT may be able to recruit and/or develop qualified candidates by working with our OJT Supportive Services providers.
- **Leadership and Workforce Development Programs** – EO Center Staff will monitor minority and female selection and progress as CDOT introduces its new Leadership and Workforce Development Programs.
- **Community Outreach** – When the hiring freeze is rescinded, the EO Center will develop and strengthen relationships to encourage applicant referrals with the following organizations:
 - minority groups
 - female groups
 - community action groups
 - state employment agencies
 - professional organizations
 - recruitment agencies
 - colleges
- **Programs for Women in Construction and Maintenance** – The

Center will partner with Aims Community College and CDOT Maintenance staff to recruit female applicants and retain women in the maintenance and construction workforce.

- **Retention and promotion of female and minority employees-**To support our efforts to focus on retention and promotion of female and minority employees, CDOT will monitor participation in the state mentorship program and emphasize opportunities for growth through CDOT's Career Counseling and Guidance program. The program includes one-on-one coaching, training, education, and partnering and support activities.
- **Monitor HR Actions** – As additional data becomes available from CDOT's SAP computer system, EO Center staff will be able to closely monitor promotions, demotions, disciplinary actions and separations to determine any trends or areas of concern.
 - Monitor classification and compensation transactions
 - Coordinate diversity initiatives/activities and training

CDOT WORKFORCE ANALYSIS

Center for Equal Opportunity staff compile quarterly reports on CDOT workforce including, Workforce Summary, Utilization Analysis, Adverse Impact, and the annual EEO-4 (Attachment 6). These reports enable civil rights staff and managers throughout the agency to monitor trends and to identify problems and opportunities.

Workforce (Employee Profile)

The Employee Profile Summary Report (Attachment 4) profiles the CDOT workforce in eight categories by gender and ethnicity.

Utilization

With utilization analysis (Attachment 5) CDOT compares the available workforce in the pertinent geographic areas by gender, race and ethnic categories and Standard Occupational Code (SOC) to the CDOT workforce in gender, race and ethnic and Standard Occupational Code categories.

The Utilization counts shown in the highlighted bottom row for each Standard Occupational Code show the number of employees that we are under or over utilized in that job. EO Center staff is working to report Regional and Unit utilization data in addition to the Statewide data that is currently available.

Though CDOT employees generally reflect the available workforce, we remain underutilized in female engineers. Other areas of underutilization include female Black and female Hispanic maintenance workers, and minorities in the Engineering Technician series. Recruitment (when the hiring freeze is rescinded) and training efforts continue to be a major focus in CDOT affirmative action programs and activities targeted to areas of underutilization including:

- Efforts to restructure jobs and establish entry level and trainee positions to facilitate progression within occupational areas
- Career counseling and guidance for employees
- Widely publicizing upward mobility programs and opportunities within each work unit and within the total organizational structure
- Active recruitment efforts to support and supplement those of the human resources department

- Maintaining contracts with organizations representing minority groups, women professional societies, and other sources of candidates
- Ensuring that recruitment literature is relevant to all potential employees
- Analyzing the flow of applicants through the selection and appointment process
- Monitor voluntary separations to identify areas of adverse impact

EEO 4 Report

Salary distributions are compiled by gender, race and ethnicity and EEO categories in the EEO 4 report (Attachment 6) for September 2008.

ATTACHMENTS

Equal Opportunity Policy ([Attachment 1](#))

Sexual Harassment Policy ([Attachment 2](#))

Interviewing Policy ([Attachment 3](#))

Employee Profile ([Attachment 4](#))

Utilization ([Attachment 5](#))

EEO4 Report ([Attachment 6](#))