

# **OKLAHOMA DEPARTMENT OF TRANSPORTATION**



**FY 2016**

## **Part II-Equal Employment Opportunity and Affirmative Action Plan**



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Oklahoma Division**

November 12, 2015

5801 N. Broadway Ext. Ste. 300  
Oklahoma City, OK 73118  
Phone: 405-254-3300  
Fax: 405-254-3302  
[www.fhwa.dot.gov/okdiv](http://www.fhwa.dot.gov/okdiv)

In Reply Refer To:  
HDA-OK

J. Michael Patterson  
Executive Director  
Oklahoma Department of Transportation  
200 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105

Dear Mr. Patterson:

The Federal Highway Administration (FHWA) Oklahoma Division has reviewed the Oklahoma Department of Transportation (ODOT) Equal Employment Opportunity (EEO) Program for FY 2016. The program consists of Part I – Contractor Compliance and Part II – State Internal EEO Program. Our review considered the overall objectives and goals of the EEO Program as well as the descriptions and analysis of previous year's efforts and accomplishments.

After reviewing this information, we have determined the FY 2016 ODOT EEO Program is consistent with the requirements of 23 CFR part 230 and in accordance with the requirements in 23 CFR 230.313 approve its immediate implementation.

The next ODOT EEO Program submission is due to FHWA on October 1, 2016 unless otherwise coordinated. If you have any questions, please contact me directly at (405) 254-3313 or via email at [steve.duskin@dot.gov](mailto:steve.duskin@dot.gov).

Sincerely,

Steve Duskin  
Civil Rights Specialist  
Oklahoma Division  
Federal Highway Administration

Cc: Jenny Chong, ODOT, Director Civil Rights Division  
Gary Corino, FHWA, Division Administrator  
Basharat Siddiqi, FHWA, Asst. Division Administrator  
Carl Selby, FHWA, Program Support Team Leader

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# **ODOT Policy Statements and Delegation of Authority**



**OKLAHOMA DEPARTMENT OF TRANSPORTATION**

200 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105-3204  
www.odot.org

**To: All ODOT Staff**

**From: Mike Patterson, Director**

**Date: August 14, 2015**

**Re: Policy on Equal Employment Opportunity and Affirmative Action**

Consistent with Federal guidelines established for affirmative action and equal employment opportunity, I would like to reaffirm this Agency's continuing policy to provide equal employment and advancement opportunity in all job classifications in this Agency without regard to:

Race, color, sex, religion, national origin, age, retaliation, genetic information, and disability, as long as the disability does not render the person unable to perform the essential duties of the position for which employed.

The principles of equal employment opportunity apply throughout the Agency to all employment practices and personnel actions:

recruiting, hiring, promotions, demotions, separations, transfers, layoff (RIF), recall, compensation, benefits and all other terms and conditions of employment. Our annual affirmative action plan helps us achieve our goal of equal opportunity employment for all.

Jenny Chong, Civil Rights Division Manager, located in the ODOT Central Office, telephone number 405-521-2072, and e-mail address [jchong@odot.org](mailto:jchong@odot.org) has been delegated the responsibility of implementing the affirmative action plan, monitoring and evaluating progress and reporting the results to me.

We are fully committed to implementation of this policy. We expect all employees to perform in a manner that will demonstrate this Agency's firm commitment to this most important area. I accept overall responsibility for equal employment opportunity and affirmative action within this agency.

A handwritten signature in blue ink, appearing to read "Mike Patterson", is written over a horizontal line. The signature is somewhat scribbled and overlaps the line.

Mike Patterson, Director  
Oklahoma Department of Transportation

8/20/15

Date

*"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."*

AN EQUAL OPPORTUNITY EMPLOYER



**To:** All ODOT Staff  
**From:** Mike Patterson, Director  
**Date:** August 14, 2015  
**Re:** Prohibition and Prevention of Harassment

**Sexual harassment is a form of sex discrimination which violates Title VII Section 703 of the Civil Rights Act of 1964. Additionally, sexual harassment violates Merit Rule 530:10-3-3 and ODOT Policy Directive B-306-3.**

The Oklahoma Department of Transportation (ODOT) is committed to maintaining a work environment that is free of discrimination. **This Agency will have no tolerance of harassment by anyone, including any supervisor, co-worker, customer of ODOT or contractor.**

In addition, the agency will not allow employees, customers, contractors or other persons who interact with ODOT to discriminate on the grounds of **race, color, sex, religion, national origin, age, disability, retaliation or genetic information.**

ODOT policy and practice forbids discrimination and harassment during or associated with the business of ODOT which is based on race, color, sex, religion, national origin, age, disability, retaliation or genetic information.

Harassment consists of unwelcome conduct, whether verbal, physical or visual, which is based upon a person's protected status, such as race, color, sex (with or without sexual conduct), religion, national origin, age, disability, retaliation or genetic information.

ODOT will not tolerate any harassing conduct that affects tangible job benefits, unreasonably interferes with an individual's work performance or that creates an intimidating, hostile or offensive working environment.

**Sexual harassment** elicits special attention. Repeated unwelcome sexual advances, request for sexual favors and physical, verbal or visual conduct based on sex, constitutes sexual harassment when:

1. Submission to the conduct is an explicit or implicit term or condition of employment;
2. Submission to or rejection of the conduct is used as the basis for an employment decision;
3. The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

**Sexual harassment** may include explicit sexual propositions, sexual innuendos, suggestive comments, sexually oriented "kidding around", horseplay, practical jokes about gender specific traits, display of sexually based gestures or language, display of foul or obscene printed or visual material and physical contact, such as patting, pinching or brushing against one's body.



All ODOT employees are responsible for helping to insure that harassment of any kind is avoided.

If you feel that you may have experienced or witnessed harassment, immediately inform the appropriate division engineer, division manager or appropriate manager or supervisor. You may also notify Jenny Chong, Civil Rights Division Manager, at 405-521-2072.

**If the supervisor is alleged to be involved in the harassment, the employee who believes he or she is being subjected to harassment may bypass a supervisor in the complaint reporting process.**

Any supervisory employee, employee with authority for personnel matters or any other agent or officer of ODOT who knows or who should have known that any employee of the Agency is being subjected to sexual harassment must take immediate corrective action. **Any supervisor or responsible employee who fails to take corrective action is subject to disciplinary action up to and including termination of employment.**

ODOT forbids retaliation against anyone who has reported harassment. ODOT will take the appropriate disciplinary action against any employee, supervisor and/or manager for attempts at coercion and intimidation of or reprisal and retaliation against anyone who participates in an ODOT Civil Rights investigation or anyone who obstructs a Civil Rights investigation by giving false or misleading statements.

The policy of the ODOT is to investigate all such complaints thoroughly and promptly. To the fullest extent possible, ODOT will keep complaints and the terms of their resolution confidential. Appropriate disciplinary action up to and including termination will be taken if harassment is confirmed by an investigation.

An employee desiring to carry a complaint beyond the scope of administrative remedies available at the ODOT may contact the agencies listed below. These agencies are authorized to investigate complaints, conduct hearings and set penalties for violations in order to assure there is no discrimination on the basis of race, color, sex, religion, national origin, age, disability, retaliation or genetic information.

Additionally, it is unlawful to retaliate against any individual for opposing employment practices which discriminate based on sex or for filing a discrimination charge, testifying or participating in an investigation, proceeding or litigation under Title VII.

#### **Oklahoma Merit Protection Commission**

3545 NW 58<sup>th</sup>, Suite 360

Oklahoma City, OK 73112

Phone: 405-525-9144

Fax: 405-528-6245

E-mail: [mpcinfo@mpc.ok.gov](mailto:mpcinfo@mpc.ok.gov)

*"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."*



**OKLAHOMA DEPARTMENT OF TRANSPORTATION**

200 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105-3204  
[www.odot.org](http://www.odot.org)

**Oklahoma Office of the Attorney General**

Office of Civil Rights Enforcement  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105  
Phone: 405-521-3921  
Tulsa: 918-581-2885  
E-mail: [OCRE@oag.ok.gov](mailto:OCRE@oag.ok.gov)

**U.S. Equal Employment Opportunity Commission**

215 Dean A. McGee Ave., Suite 524  
Oklahoma City, OK 73102  
405-231-4911 or 800-669-4000

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Mike Patterson, Director  
Oklahoma Department of Transportation

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Date

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AN EQUAL OPPORTUNITY EMPLOYER



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200 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105-3204  
www.odot.org

**To:** All ODOT Staff  
**From:** Mike Patterson, Director  
**Date:** August 14, 2015  
**Subject:** Delegation of Authority for Office of Civil Rights Division Director

Notice is hereby given that I have delegated to the Administrator of the Office of Civil Rights Division responsibility for administration and implementation of the Equal Employment Opportunity Program, including the total integration of equal opportunity into all facets of the Oklahoma Department of Transportation, consistent with Code of Federal Regulations (CFR) 23, Subpart 200. Such authority includes, but is not limited to, the following:

- Overall administration of Internal and External Civil Rights Programs;
- Develop a budget sufficient to carry out duties and responsibilities of the Division;
- Develop policies and procedures that enhance equal opportunity and affirmative action that will ensure fair and equitable treatment;
- Act as Liaison to the Director for governmental concerns and public policy related to EEO Program matters;
- Counsel employees, managers and administrators on equal opportunity matters.

It is hereby directed that the Administrator of the Office of Civil Rights Division is empowered to direct and execute the responsibilities of the Office of Civil Rights Division. This Delegation of Authority is effective with the effective date of the Code of Federal Regulations (CFR) 23, Subpart 200 and shall continue in effect until a rescission order has been issued.

Nothing in the above is intended or shall be interpreted to prohibit the Director of the Oklahoma Department of Transportation from executing any action necessary to further Equal Employment Opportunity Programs.

Done and ordered this 20 day of AUGUST, 2015.

  
\_\_\_\_\_  
Mike Patterson, Director  
Oklahoma Department of Transportation

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AN EQUAL OPPORTUNITY EMPLOYER



**To:** All ODOT Offices  
**From:** Mike Patterson, ODOT Director  
**Date:** August 14, 2015  
**Subject:** Oklahoma Department of Transportation Compliance with the Americans with Disabilities Act of 1990 (ADA), as amended

This memorandum is to be posted on all office bulletin boards. Administrators and managers are instructed to encourage all employees to read this memorandum.

Title II of the Americans with Disabilities Act of 1990 became effective for all state and local government entities on January 16, 1992. On January 1, 1995, the Oklahoma Department of Transportation (ODOT) implemented a Department Policy on the Americans with Disabilities Act of 1990, as amended.

Each office and facility has been issued a copy of ODOT Policy A-401-3 which contains the provisions for implementation of the Department's ADA Program. This policy outlines the purpose and scope of the ADA, definitions and examples of reasonable accommodation, request for accommodation by staff and clients and the complaint and appeal procedures.

Staff members with questions regarding the ADA and reasonable accommodation may refer to their immediate supervisor, the division ADA Coordinator or the ODOT ADA Coordinator. The ODOT ADA Coordinator is:

Jenny Chong, Civil Rights Division  
405-521-2072

The responsibilities of the ODOT ADA Coordinator are outlined in ODOT Policy A-401-3. Information regarding the provisions of the ADA and the rights provided by the ADA is available from the Civil Rights Division at the Oklahoma Department of Transportation.

Under the Americans with Disabilities Act, when viewed in their entirety, all programs and services must be accessible to persons with disabilities. Department staff, clients, contractors, and other interested individuals are encouraged to comment regarding their perception of accessibility of the ODOT programs and services.

Comments and suggestions may be submitted to division ADA Coordinators or to the ODOT ADA Coordinator.

The ODOT is committed to compliance with all ADA provisions. The Department does not discriminate in access to services, programs or employment. Complaints of discrimination based on disability fall under the jurisdiction of the Civil Rights Division at the ODOT.



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[www.odot.org](http://www.odot.org)

However, any employee or individual desiring to seek further resolution of a complaint beyond the administrative remedy of ODOT may do so by contacting either the Oklahoma Office of the Attorney General (OAG) or the U.S. Equal Employment Opportunity Commission as listed below. The time limit for filing a complaint with the OAG is 180 days. The time limit for filing a complaint with the U.S. Equal Employment Opportunity Commission is 300 days. Each of these agencies is authorized to investigate, conduct hearings and set penalties for violations to assure that there is no discrimination on the basis of race, color, sex, religion, national origin, age, disability, retaliation or genetic information.

**Oklahoma Office of the Attorney General**

Office of Civil Rights Enforcement  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105  
Phone: 405-521-3921  
Tulsa: 918-581-2885  
E-mail: [OCRE@oag.ok.gov](mailto:OCRE@oag.ok.gov)

**U.S. Equal Employment Opportunity Commission**

215 Dean A. McGee Ave., Suite 524  
Oklahoma City, OK 73102  
405-231-4911 or 800-669-4000  
Fax 405-231-4125



\_\_\_\_\_  
Mike Patterson, Director  
Oklahoma Department of Transportation

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AN EQUAL OPPORTUNITY EMPLOYER



# **Responsibility for AA/EEO Implementation**

## RESPONSIBILITY FOR AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY IMPLEMENTATION

### **Responsibilities of the Appointing Authority**

The Director of the Oklahoma Department of Transportation (ODOT), Mr. Mike Patterson, is the Chief Administrative Officer, policy establisher and principal appointing authority and exercises overall responsibility for equal employment opportunity and affirmative action within ODOT. Director Patterson has delegated Ms. Jenny Chong, Division Manager, of the Office of Civil Rights Division (CRD), as the Affirmative Action and Equal Employment Opportunity (EEO) Officer for the Department.

This administrative position has the initial and overall responsibility for all programs and activities of the Department including the EEO and Affirmative Action Program. The Director shall establish such policies and guidelines as necessary to effectively implement the EEO Program and Affirmative Action Plan, direct the dissemination of such policies and guidelines, and convey support of these to all persons within and outside of ODOT.

Ms. Chong reports directly to the Director of Finance and Administration but has direct access to the ODOT Director regarding all matters related to the EEO Program and Affirmative Action plan (*See: Organization Chart on page 3*). Ms. Chong has overall responsibility for the planning, development, administration, coordination, implementation, monitoring, record keeping and evaluation of the ODOT Equal Opportunity and Affirmative Action Plan.

### **Responsibilities of the EEO/AA Officer**

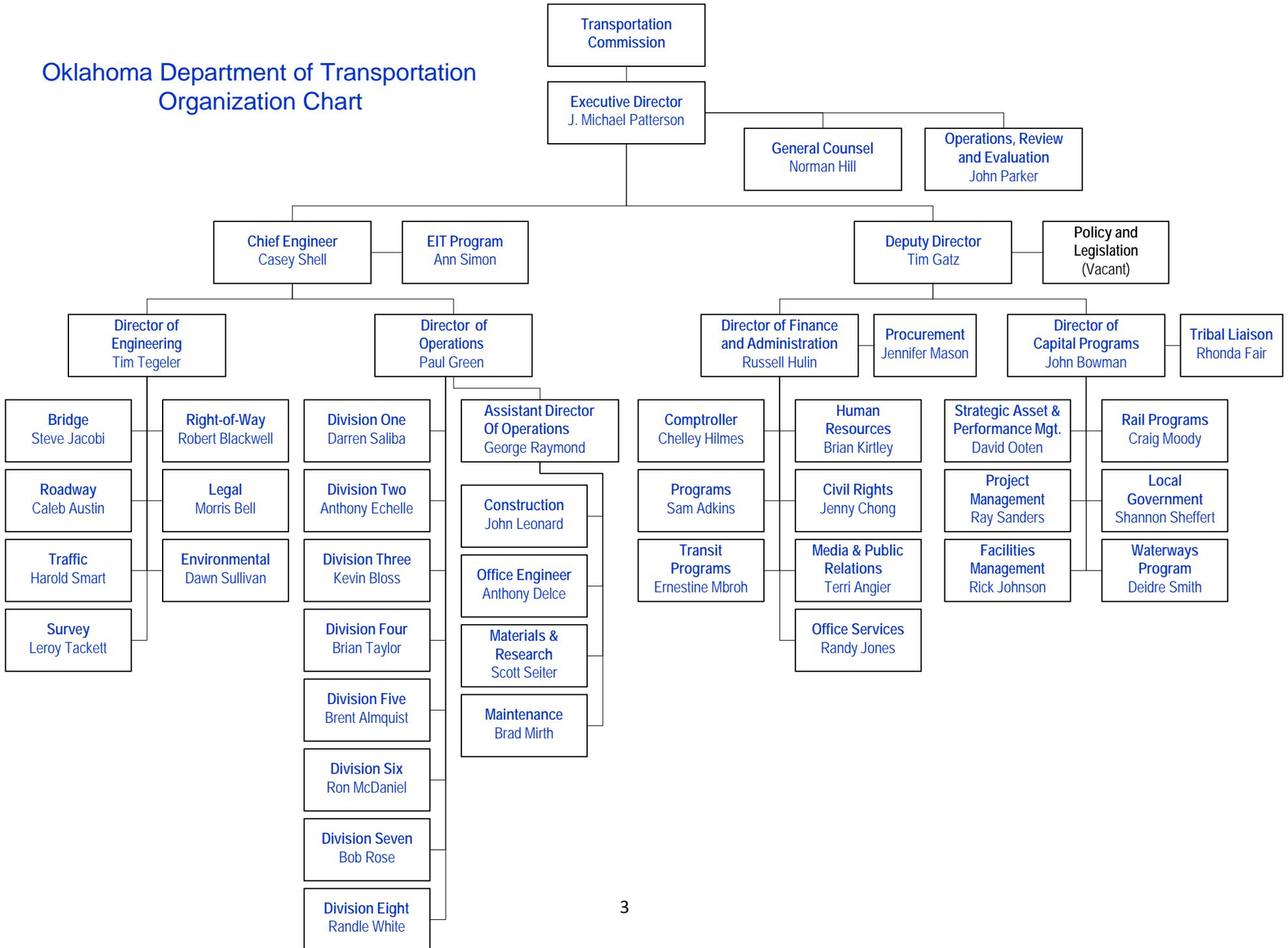
1. Developing affirmative action programs, plans, policy statements and internal and external communications;
2. Assisting in the identification of problem areas, setting goals and timelines, and developing programs to achieve these goals;
3. Designing and implementing audit and reporting systems to:
  - a. Measure the effectiveness of the agency's program;
  - b. Indicate remedial action needed to correct deficiencies;
  - c. Determine the degree to which the agency's goals and objectives have been attained;
4. Serving as liaison between the agency and the various state, federal, and local governments, regulatory agencies, minority, disability and female organizations;
5. Serving as the agency's outreach and referral resource for minority organizations, women's organizations, organizations for disabled and older persons and community action groups concerned with employment opportunities for minorities, women, disabled and older persons;
6. Investigating cases and drafting recommendations for resolution of discrimination complaints;
7. Keeping the agency's various organizational levels informed of legal updates, developments in the EEO and Affirmative Action areas and reporting quarterly to the Director progress of achieving the agency's goals;

8. Inspecting the agency's various worksites to ensure that EEO information is being disseminated and prominently displayed when appropriate;
9. Monitoring the agency's personnel practices to ensure no discriminatory practices exist. Concur in hires and promotions.

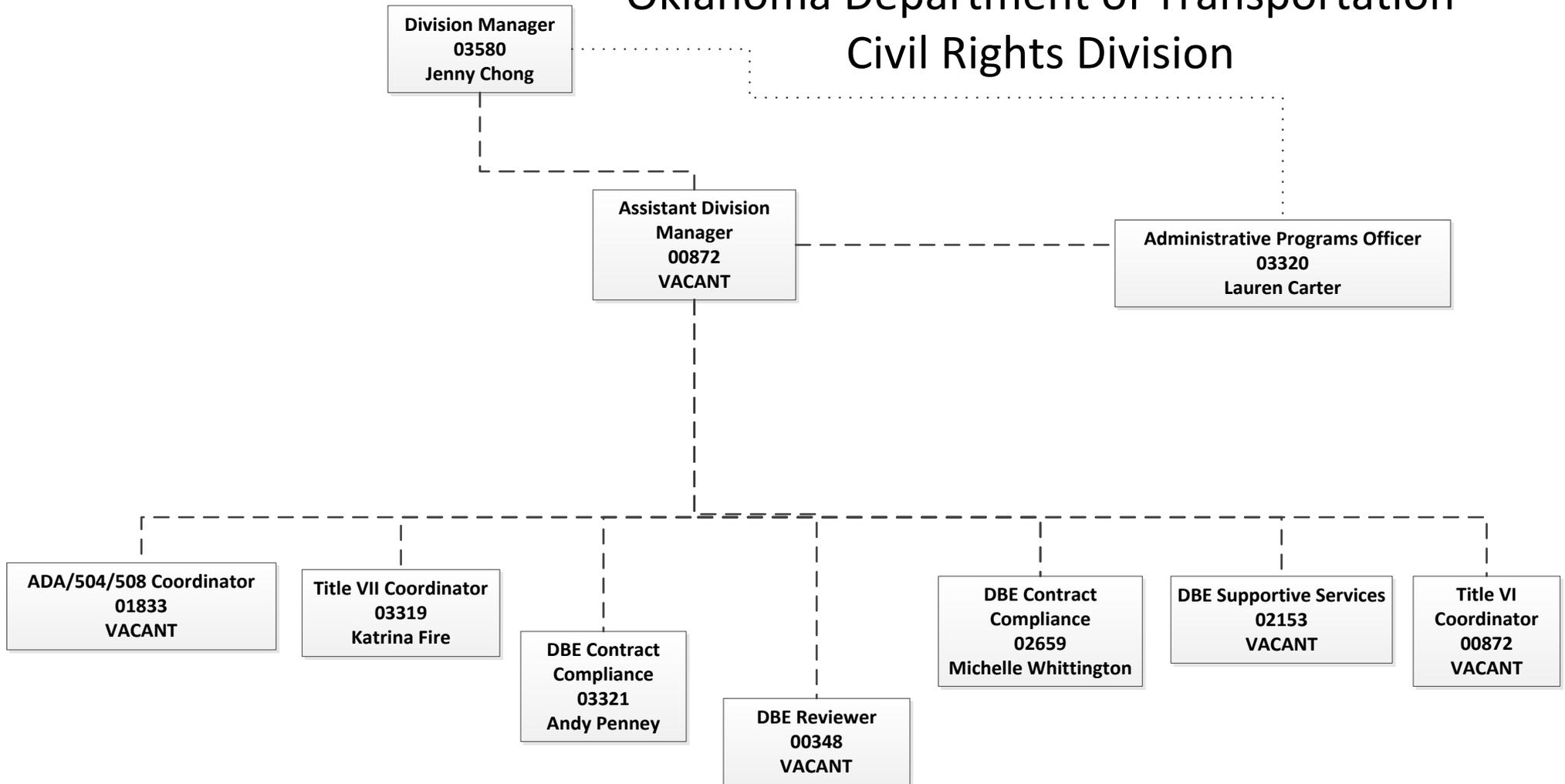


# **Agency Organization Chart**

# Oklahoma Department of Transportation Organization Chart



# Oklahoma Department of Transportation Civil Rights Division





# **Dissemination of Affirmative Action Plan**

## DISSEMINATION OF AFFIRMATIVE ACTION PLAN

### Internal Dissemination

1. The plan is considered to be the official Agency Policy.
2. Distribute copies of the Oklahoma Department of Transportation (ODOT) Affirmative Action (AA) Plan to each field division and place copies in major office areas located in the central office in Oklahoma City;
3. Publicize in Access magazine (published quarterly) and other agency publications, annual reports, and make the AA Plan available on ODOT's website under the "Doing Business" tab and selecting "Civil Rights" from the list;
4. Notify each employee of ODOT's AA Plan through agency-wide memorandum or similar method;
5. Discuss the policy and AA Program in management and supervisory training programs and periodically discuss the program during Director's meetings with senior staff members; and
6. Make the AA Plan available on the intranet.

### External Dissemination

1. Inform all recruiting sources of the ODOT's Equal Employment Opportunity (EEO) Policy and encourage them in the active recruitment and referral of protected group members for all positions;
2. Require contractors conducting business with ODOT to adopt an EEO Policy Statement and include the statement "Equal Opportunity Employer" when placing advertisements in newspapers and other publications;
3. As needed, we will notify all subcontractors, vendors, and suppliers of our EEO/AA policy and policies, and we will encourage them to assist us in achieving our affirmative action objectives by actively recruiting and referring women, minorities, and people with disabilities.
4. Make copies of the EEO Plan available to interested groups and individuals upon request; and
5. Post the plan on the ODOT's website for public access.



# **Affirmative Action for Disabled and Older Persons**

## AFFIRMATIVE ACTION FOR DISABLED PERSONS AND OLDER PERSONS

### **Policy Statement**

Oklahoma Department of Transportation (ODOT) ensures that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of any services, programs, or activities or be discriminated against in any job application procedures, hiring, firing, advancement, compensation, job training and other terms, condition, and privileges of employment.

**(ODOT Policy Directive B-306-7)**

ODOT will provide reasonable accommodations for persons with disabilities in accordance with Section 504 of the Rehabilitation Act. This request should be made in conformity with ODOT Policy using the interactive process in order to assist in the performance of essential functions and determine if the request will cause an undue hardship on the agency as a whole. This process includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.

**(ODOT Policy Directive B-306-8)**

ODOT ensure compliance with Section 508 of the Rehabilitation Act. This Oklahoma law requires state agencies to make information technologies accessible to individuals with disabilities, unless an undue hardship would be imposed on the agency as a whole, and to allow employees, program participants and members of the general public with disabilities access to and use of information and data that is comparable to the access and use by individuals without disabilities.

**(ODOT Policy Directive B-306-9)**



# **Training and Recruitment**

## TRAINING AND RECRUITMENT

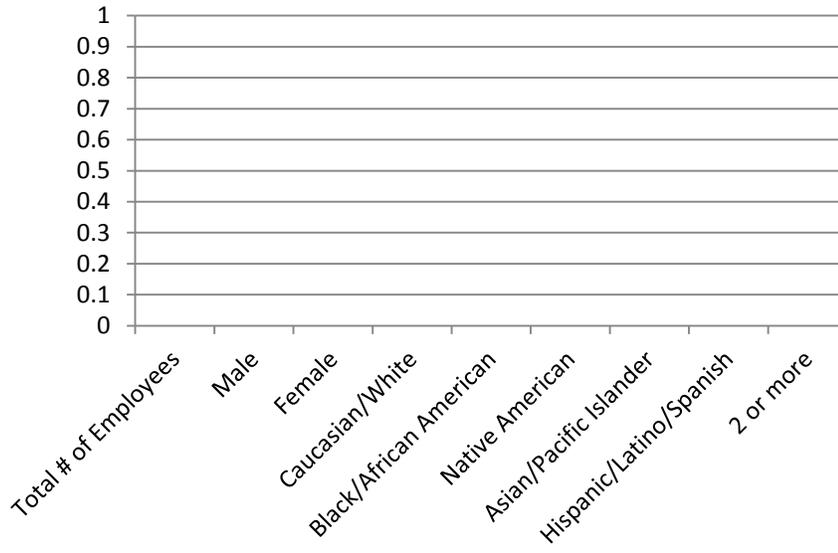
The Oklahoma Department of Transportation (ODOT) provides training to all staff in a nondiscriminatory manner and is responsible for providing training and employee development activities to all agency employees. The ODOT has transitioned into utilizing a new online training program called "Skillsoft". This program allows each employee to enroll themselves automatically into classes of interest that he/she can complete at any computer and at their convenience. Employees can enroll in various types of training such as business skills, compliance, desktop skills, IT skills and so forth. Some classes require prerequisites such as a certification or specific justification, but majority of the classes are available to everyone. This new program also has the capability to allow supervisors to assign courses to their employees in areas that need development.

The ODOT's Human Resources Division offers courses that are not available on Skillsoft to employees or by a supervisor's request. At these courses, each instructor is given a sign-in sheet to collect information on the attendee's sex, race, division, and so forth. This information is forwarded to ODOT's Title VII Coordinator for oversight to ensure nondiscrimination. The Civil Rights Division is continuing their efforts that all demographic information is collected consistently for each course and submitted. Attendee information such as name and employment site is easily obtained but collecting race continues to be a challenge.

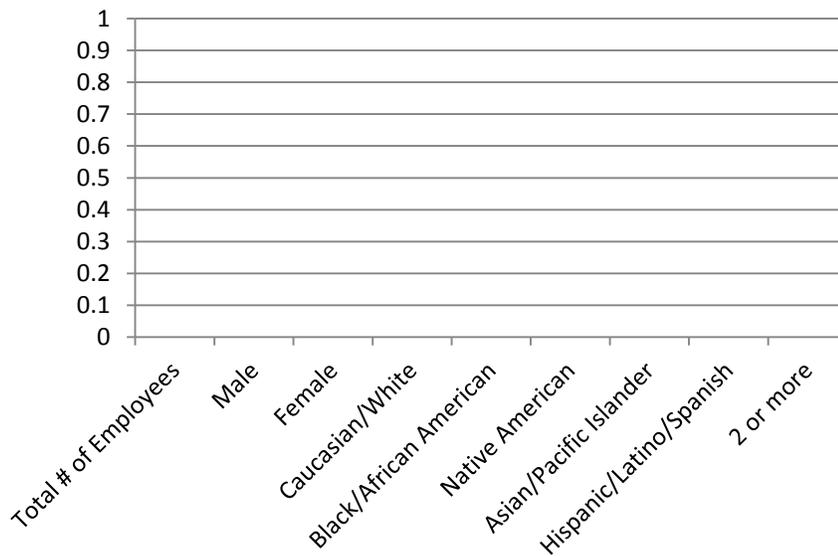
For the period July 2014 – June 2015, a total of 252 employees filled out the sign-in sheets with their demographic information. Classes conducted included Reasonable Suspicion Alcohol & Drug Testing, Progressive Discipline, Ethics for Not-So-Dummies, and so forth. The following is a breakdown of employees by gender, race, and division.

The following training events were conducted in which no demographic information was collected: Progressive Discipline, Reasonable Suspicion Alcohol & Drug Testing, Fracture Critical Inspection Techniques for Steel Bridges, Road to Excellence, Defensive Driving Class, Contract Administration Core Curriculum, Work Zone Traffic Control (6 classes), Forklift Training (3 classes), Moving Forward 2015, Transportation Training & Services (2 classes), OSHA 10 hour and Roadway Safety (5 classes).

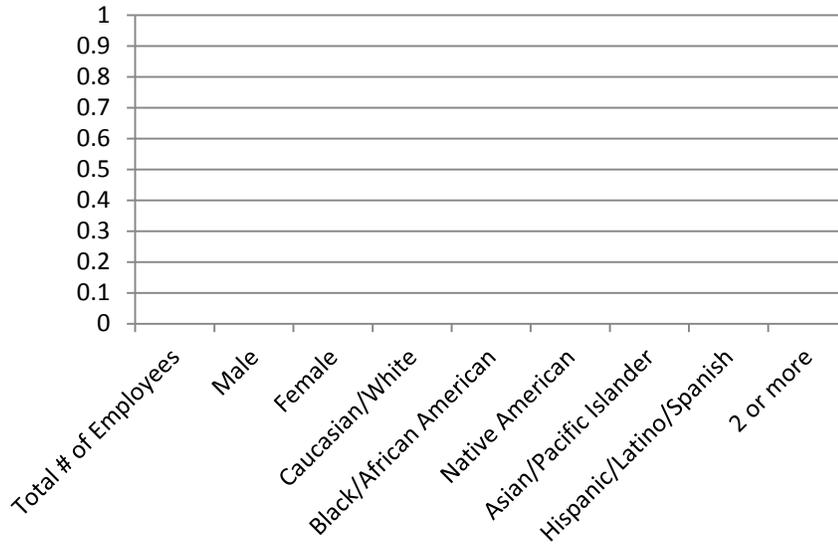
## Division 1



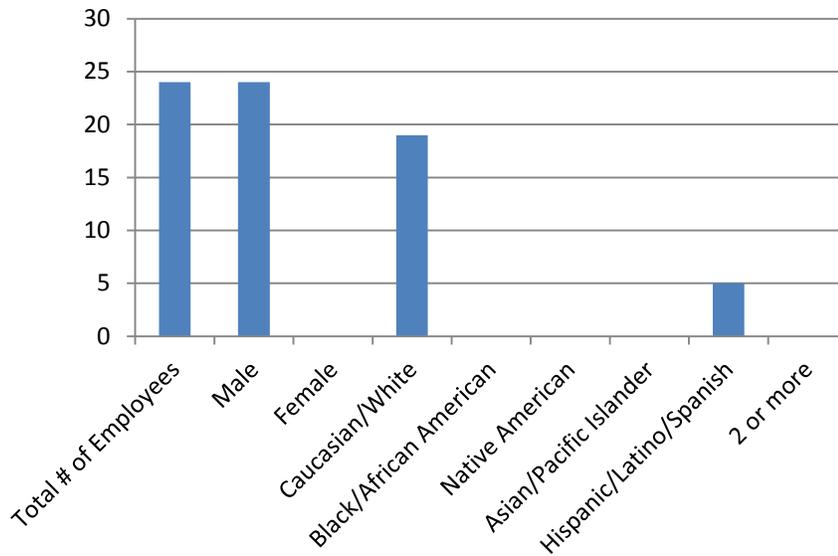
## Division 2



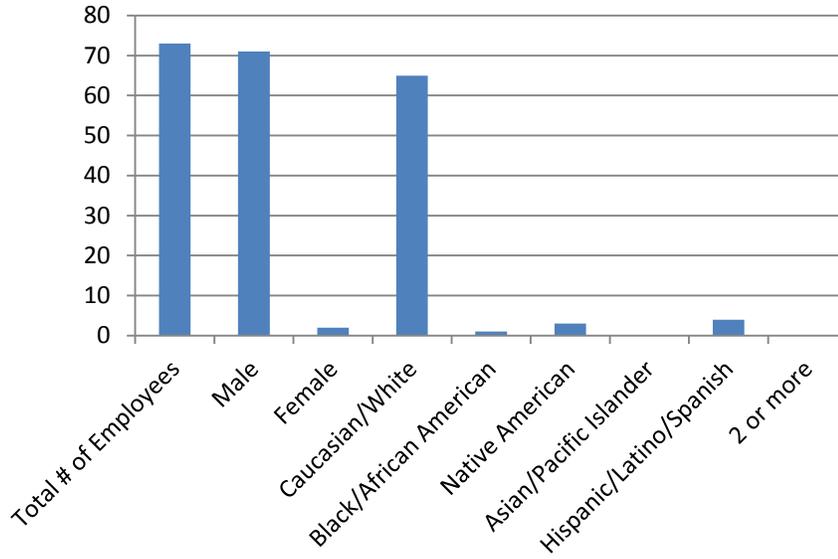
### Division 3



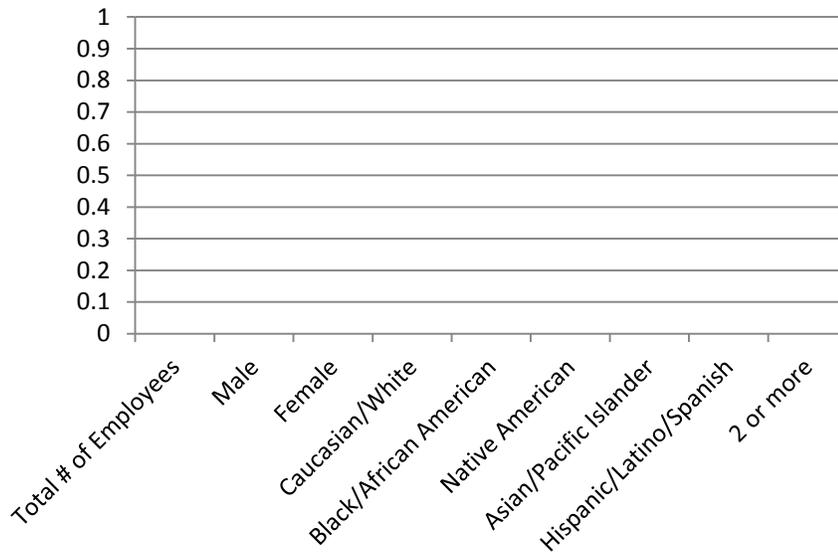
### Division 4



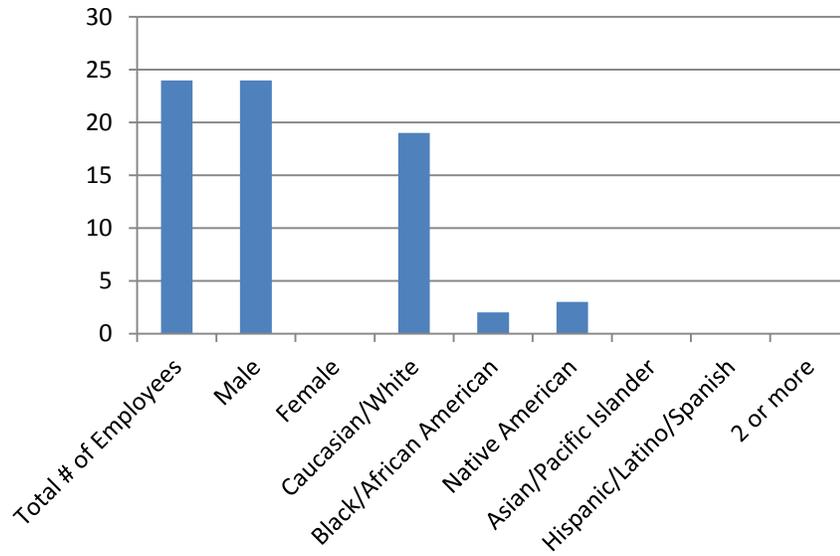
### Division 5



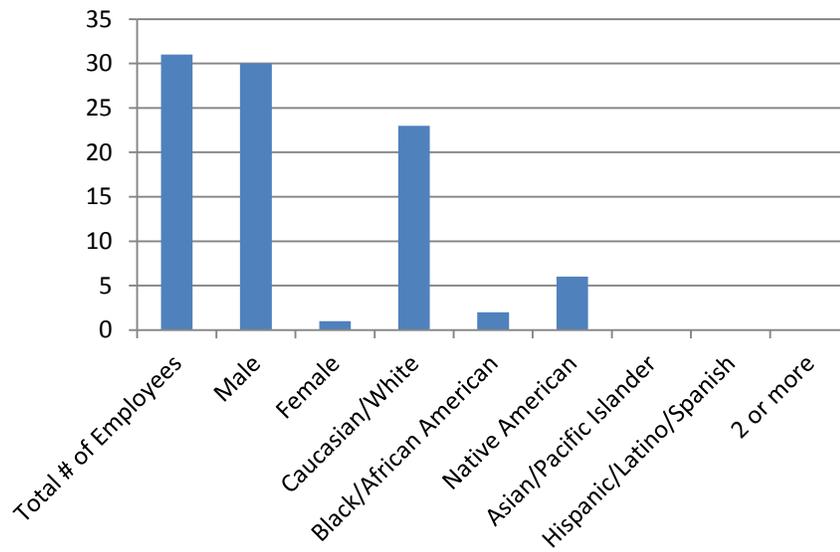
### Division 6

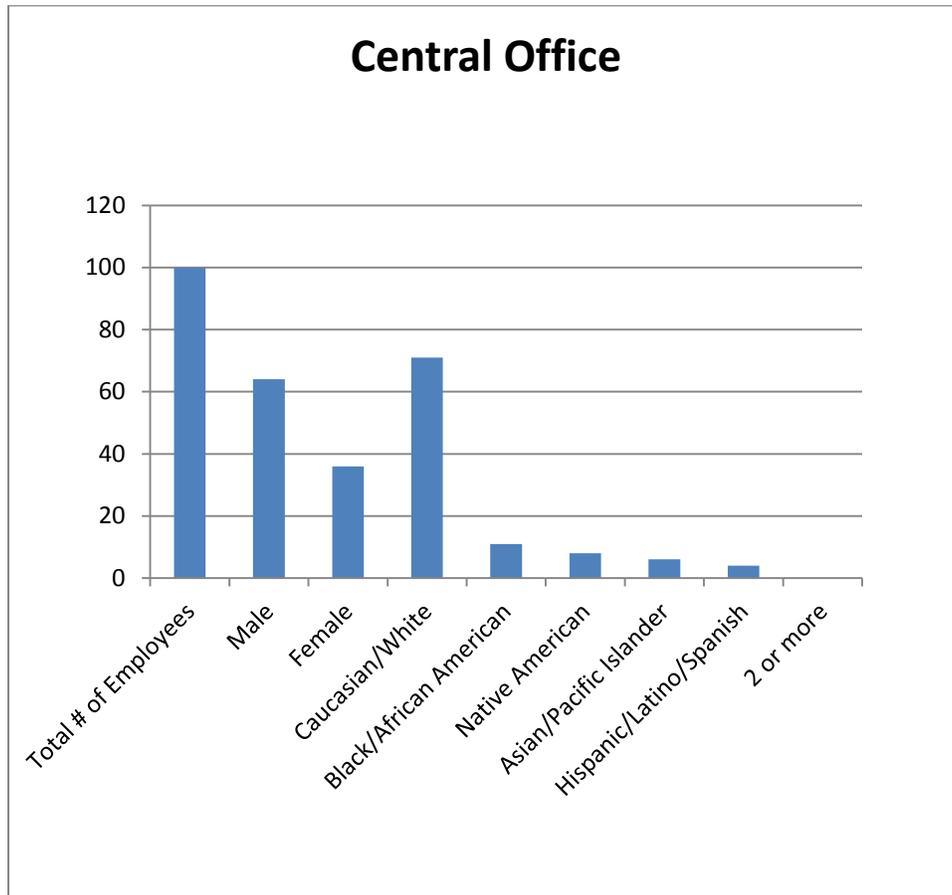


## Division 7



## Division 8





## RECRUITMENT & OUTREACH

ODOT strives to provide awareness about our opportunities to individuals that are currently seeking work and those that will become our future workers. This year we focused on recruiting efforts by manning booths at careers fairs, having division tours at our facility, partnering with other entities, and educating students about fields in transportation.

- ❖ The Human Resources Division conducted a new employee onboarding (orientation) program for new employees, entitled D.R.I.V.E (Developing Resourceful Innovative and Vision Engaged employees). The orientation consisted of half a day and new employees were provided information regarding benefits, policies, and procedures at the ODOT. The CRD also participated and informed the new employees of their right to a working environment free from discrimination and harassment.
- ❖ The CRD has also continued to work with students to encourage fields in the transportation industry and higher education. For instance, Construction Career Day “Tools to Build Your Future” was held in September 2014. The event was held at

Oklahoma State University (OSU) (OKC campus) for approximately 178 high school students from eight schools including Metro Technology Center's South Bryant Campus. Construction Career Day is an event that offers hands on activities in the field of construction. Students have the opportunity to ask the industry leaders questions about the job market in construction.

- ❖ This is the fourth year that ODOT has partnered with Oklahoma State University (OKC Campus) on the OSU/OKC TAP Scholarship Program. A total of 3 students were selected for a scholarship.
- ❖ The 2015 National Summer Transportation Institute program was held at OSU/OKC. The program ran from July 13-24, 2015, and introduced students entering the 10<sup>th</sup>-12<sup>th</sup> grades to all modes of transportation related careers.
- ❖ The Contract Compliance program partnered with the Disadvantaged Business Enterprise (DBE) Supportive Services program in order to provide a job fair that was open to employers who are in the construction industry. These employers included prime contractors, subcontractors, and DBE firms that were seeking potential employees. The job fair took place on March 19, 2015 at the State Fair Grounds in Oklahoma City, OK. There were 45 vendors that attended and 157 job seekers attended the job fair.
- ❖ ODOT's Roadway Division participated in two career fairs, one in McAlester and one at OSU-OKC. Their staff visited the following college campuses: OCCC, Metro Tech, Both Francis Tuttle locations, and Canadian County Vo-Tech. There were a total of 12 students that visited the division. The hiring freeze has slowed down their recruitment efforts.
- ❖ The Human Resources Division participated in the following outreach recruitment efforts:
  - September 11, 2014 University of Oklahoma
  - September 16, 2014 Oklahoma State University
  - September 17, 2014 Kansas University
  - September 23, 2014 Kansas State University
  - September 23, 2014 University of Missouri – Rolla
  - October 1, 2014 Arkansas University
  - March 5, 2015 Greater Grads University
  - June 18, 2015 State of Oklahoma



# **Evaluation of Preceding Year's AA/EEO Efforts**

**EVALUATION OF PRECEDING YEAR’S AA/EEO EFFORTS**

For Fiscal Year (FY) 2015, the Oklahoma Department of Transportation (ODOT) hired 227 full-time employees. In FY 2015, ODOT began the period with 2,355 employees and ended with 2,332 employees.

The makeup of the ODOT’s workforce as a whole is represented as follows:

<b>EEO Group</b>	<b>Male</b>	<b>% Work Force</b>	<b>Female</b>	<b>% Work Force</b>	<b>% Total Work Force</b>
Black or African American	71	3.04%	26	1.11%	4.16%
Hispanic or Latino	70	3.00%	9	0.39%	3.39%
Asian/Native Hawaiian or Other Pacific Islander	23	0.99%	9	0.39%	1.37%
American Indian/Alaska Native	187	8.02%	39	1.67%	9.69%
Female	NA	NA	451	19.34%	19.34%
Male	1881	80.66%	NA	NA	80.66%
Total Minority	351	15.05%	83	3.56%	18.61%
White	1530	65.61%	368	15.78%	81.39%

The following summarizes the minorities and Females represented from the 227 new hires:

<b>Minority</b>	<b>Total Hired</b>
Black or African American	13
Hispanic or Latino	4
Asian/Native Hawaiian or Other Pacific Islander	2
American Indian/Alaska Native	23
Female	50
Total Minority	42

A total of 477 employees were promoted this year at ODOT. Of these promotions, there were 18 for Black, 20 for Hispanic, 7 for Asian/Native Hawaiian or Other Pacific Islander, and 58 for American Indian/Alaska Native. Within these promotions, 151 went to Females and a total of 103 to overall Minorities.

<b>EEO Group</b>	<b>Promotions</b>	<b>% Total Promotions</b>
Black or African American	18	3.77%
Hispanic or Latino	20	4.19%
Asian/Native Hawaiian or Other Pacific Islander	7	1.47%
American Indian/Alaska Native	58	12.16%
Female	151	31.66%
Male	326	68.34%
Total Minority	103	21.59%
White	374	78.41%

<b>EEO Group</b>	<b>% of ODOT Work Force</b>
Black or African American	0.77%
Hispanic or Latino	0.86%
Asian/Native Hawaiian or Other Pacific Islander	0.30%
American Indian/Alaska Native	2.49%
Female	6.48%
Male	13.98%
Total Minority	4.42%
White	16.04%

## **Additional ODOT Civil Rights Accomplishment and Activities**

The Oklahoma Department of Transportation (ODOT) has achieved the following in FY 2015:

- ❖ The Civil Rights Division conducted their first Civil Rights Conference in February 2015. This conference was open to any public individual/entity that received federal funding. This conference included two keynote speakers and several breakout sessions.
- ❖ The ODOT's Commission meeting agenda now includes the updated ODOT discrimination clause.
- ❖ The CRD participated in Human Resources Division's employee onboarding program by informing new employees about the function of the Civil Rights Division.
- ❖ The Americans with Disabilities Act (ADA) Self Evaluation EC-1367: ODOT is near the completion of Phase II.
- ❖ The Special Provisions on the DBE Program was updated and incorporated into all new contracts.
- ❖ The DBE Consultant forms have been updated to collect information on DBE payments, commitments, and good faith efforts.
- ❖ The Civil Rights Division has been working with B2GNOW on developing modules to help monitor and track Civil Rights compliance for the ODOT. The new software system will allow contractors, consultants, and DBE firms access to their contracts and projects online. The software system will help with DBE goal monitoring, prompt payment, contractor compliance and so forth.
- ❖ The 2015 National Summer Transportation Institute program was held at OSU/OKC. The program ran from July 13-24, 2015, and introduced students entering the 10<sup>th</sup>-12<sup>th</sup> grades to all modes of transportation related careers.
- ❖ Several of the CRD staff attended the Equal Employment Opportunity Commission's Technical Assistant training in July 2015.
- ❖ This was the first year that the DBE Supportive Services program mass advertised through billboards, bus benches, shelters, and transit providers. Billboard advertisement in both English and Spanish was utilized throughout all of Oklahoma and the Civil Rights Division worked with Tulsa Transit on bus advertisement. This initiative was to attract more individuals into the DBE program and to bring overall awareness.
- ❖ The Contract Compliance website has been updated and includes the bulletin board requirements for federally funded projects, information on contract compliance reviews, Davis Bacon and payroll information, the PR-1391 form, and

information on the Transportation Assistance Program (TAP) and dates for upcoming trainings.

- ❖ The On-The-Job training program was officially implemented January of 2015. There have been 26 trainees that have been enrolled in the program, 3 of those trainees have quit the program or were terminated, and 6 trainees have already completed the program. The contractors involved in the OJT Program are: Allen Contracting, Becco Contractors, Inc., Cummins Construction, Duit Construction Co., Inc., OBC, Inc., Manhattan Road & Bridge, Sewell Bros., Glover & Associates, Haskell Lemon Construction Co., Jensen Construction Company, J & R Sand Co., Inc., and Sherwood Construction.
- ❖ The contract compliance officers attended 4 pre-construction meetings.
- ❖ A total of three (3) prompt payments were filed this year and all were investigated and resolved in a timely manner.
- ❖ A total of eight (8) contract compliance reviews were conducted this year.
- ❖ The Contract Compliance program partnered with the Disadvantaged Business Enterprise (DBE) Supportive Services program in order to provide a job fair that was open to employers who are in the construction industry. These employers included prime contractors, subcontractors, and DBE firms that were seeking potential employees. The job fair took place on March 19, 2015 at the State Fair Grounds in Oklahoma City, OK. There were 45 vendors that attended and 157 job seekers attended the job fair.
- ❖ The Contract Compliance Office hosted seven (7) TAP trainings throughout Oklahoma. Each program only allowed for 24 participants. The trainings were held:
  - Sept. 2<sup>nd</sup> to 5<sup>th</sup> of 2014 / OKC, OK  
There were 39 applicants and 18 that completed the program.
  - Dec. 15<sup>th</sup> to 18<sup>th</sup> of 2014 / OKC, OK  
There were 19 applicants and 9 that completed the program.
  - Jan. 26<sup>th</sup> to 29<sup>th</sup> of 2015 / Bartlesville, OK  
There were 10 applicants and 5 completed the program
  - March 3<sup>rd</sup> to 10<sup>th</sup> of 2015 / Tulsa, OK  
There were 11 applicants and 11 completed the program.
  - June 2<sup>nd</sup> to 15<sup>th</sup> of 2015 / Tulsa, OK  
There were 33 applicants and 16 completed the program.
  - June 9<sup>th</sup> to 12<sup>th</sup> of 2015 / OKC, OK

- There were 47 applicants and 20 completed the program.
- June 22<sup>nd</sup> to 25<sup>th</sup> of 2015 / Stillwater, OK
  - There were 20 applicants and 16 that completed the program.

The certification classes that were offered during the TAP trainings were First Aid/CPR, Flagger training, Forklift training, and OSHA 10.

- ❖ The 13<sup>th</sup> Annual “Tools to Build Your Future”, Construction Career day was held September 26, 2014 at the campus of OSU/OKC. Students from eight high schools and three technical centers attended the event.
  - 79 Hispanic Males
  - 25 Hispanic Females
  - 28 Black Males
  - 8 Black Females
  - 5 Native American Indian Males
  - 4 Native American Indian Females
  - 9 Asian Males
  - 1 Asian Female
  - 11 White Males
  - 14 White Females
  - 2 More than two races Males
- ❖ The CRD held a matchmaking event in Lawton on January 27, 2015 for certified DBE firms.
- ❖ The CRD offered training in Microsoft Access on January 30, 2015 at the ODOT training center for certified DBE firms.
- ❖ The CRD held an onboarding briefing for new DBE firms on February 3, 2015 in the CRD conference room. One DBE firm attended.
- ❖ The CRD held Financial Management Pro Forma training on March 11, 2015 at Rose State College for certified DBE firms.
- ❖ The CRD held a matchmaking event in Tulsa on March 25, 2015 for certified DBE firms.
- ❖ The CRD held a breakfast with the primes event on April 8, 2015 in Duncan for certified DBE firms
- ❖ The CRD held a class on DBE Fraud and EEO Training at the ODOT training center on April 29, 2015.
- ❖ The CRD offered a training class for Microsoft Excel on May 22, 2015 at the ODOT training center for certified DBE firms.



**Identification and Analysis of  
Problem Areas:  
Corrective Action**

## IDENTIFICATION AND ANALYSIS OF PROBLEM AREAS; CORRECTIVE ACTION

The Civil Rights Division identified underutilization/problem areas in several Equal Employment Opportunity (EEO) categories in FY 2014 as listed below and set goals for addressing these areas as follows:

**Official/Administrator** – This category was underutilized for Black females, Hispanic females, Asian females, American Indian/American Native females, and total category of females. A goal was set for 3 Black females, 1 Hispanic female, 2 American Indian/American Native females, and total category goal of 66 females.

**Professional** - This category was underutilized for Hispanic females, Asian females, American Indian/American Native females, and total category of females. A goal was set for 4 Hispanic females, 4 American Indian/American Native females, and total category goal of 69 females.

**Technician** – This category was underutilized for Hispanic males, Asian males, American Indian/American Native males, Black females, Hispanic females, Asian females, American Indian/American Native females, and total category of females. A goal was set for 3 Hispanic males, 3 Asian male, 37 Black females, 5 Hispanic female, 3 Asian female, 21 American Indian/American Native females, and a total category goal of 187 females.

**Administrative Support** - This category was underutilized for Black males, Hispanic males, Asian males, American Indian/American Native males, Black females, Hispanic females, Asian females, American Indian/American Native females and total category of females.

**Skilled Craft Worker** – This category was underutilized for Black Males, Hispanic males, Asian males, American Indian/American Native males, Black females, Hispanic females, Asian females, American Indian/American Native females and total category of females. A goal was set for 2 American Indian/American Native males, 14 Black females, 13 American Indian/American Native females and a total category goal of 79 females.

**Service/Maintenance** - This category was underutilized for Black males, Hispanic males, Asian males, American Indian/American Native males, Black females, Hispanic females, Asian females, American Indian/American Native males and total category of females. A goal was set for 2 Black males, 2 Asian male, 2 Black females, 21 Hispanic females, 4 Asian females, 32 American Indian/American Native females, and a total category goal of 304 females.

## Problem Areas Identified

Due to several changes within the Civil Rights Division (CRD), several goals noted in last year's Affirmative Action Report Plan was not achieved. The CRD recently hired a Title VII Coordinator and plans to conduct training for the agency, review and update policies and procedures; analyze trends, and so forth. The Title VII Coordinator will focus on meeting with each division/area to educate supervisors and individuals involved in the hiring process on our areas of underutilization.

For FY 2014, the Civil Rights Division identified underutilization/problem areas in several EEO categories by comparing data statewide and by each division against data with the Civilian Labor Force (CLF). Data was compared using the American Community Survey from the Census Bureau for a time period covering 5 years (2006-2010).

### Statewide

- **Official Administrator:** Black males, Black females, Hispanic females, and total females
- **Professional:** Black females, Hispanic females, Asian females and total females

### Division 1

- **Technicians:** American Indian/American Native males, Asian females, American Indian/American Native females, and total females
- **Admin. Support:** American Indian/American Native females, and total females
- **Skilled Craft:** American Indian/American Native males and total females
- **Service Maintenance:** Hispanic females, American Indian/American Native females, and total females

### Division 2

- **Technicians:** Hispanic females, American Indian/American Native females, and total females
- **Skilled Craft:** Hispanic males and total females
- **Service Maintenance:** Asian males, Black females, Hispanic females, American Indian/American Native females, and total females

### Division 3

- **Technicians:** Asian males, Black females, Hispanic females, Asian females, American Indian/American Native females, and total females
- **Admin. Support:** Black males, Hispanic males, Asian males, American Indian/American Native males, Black females, Asian females and total females
- **Skilled Craft:** Black males, Asian males, Black females, Asian females, American Indian/American Native females and total females

- **Service Maintenance:** Black males, Hispanic males, Black females, Hispanic females, Asian females, American Indian/American Native females, and total females

#### Division 4

- **Technicians:** Asian males, Asian females, Black females, Hispanic females, Asian males, American Indian/American Native females, and total females
- **Admin. Support:** Black males, Hispanic males, Asian males, Black females, Asian females, and American Indian/American Native females
- **Skilled Craft:** Black males, Hispanic males, American Indian/American Native males, Black females, Asian females, American Indian/American Native females and total females
- **Service Maintenance:** Asian males, American Indian/American Native males, Black females, Hispanic females, Asian females, American Indian/American Native females, and total females

#### Division 5

- **Technicians:** Hispanic females and total females
- **Admin. Support:** Asian males, Black females and total females
- **Skilled Craft:** Black males and Hispanic males
- **Service Maintenance:** Black females, Hispanic females, and total females

#### Division 6

- **Technicians:** Total females
- **Admin. Support:** Black males, Black females, Hispanic females, and total females
- **Skilled Craft:** Total females
- **Service Maintenance:** Hispanic females, Asian females and total females

#### Division 7

- **Technicians:** Hispanic males, Black females, and total females
- **Admin. Support:** Hispanic males, Hispanic females, and Asian females
- **Skilled Craft:** Black males, Hispanic males, American Indian/American Native males, Asian females, American Indian/American Native females and total females
- **Service Maintenance:** Asian males, Black females, Hispanic females, Asian females, American Indian/American Native females, and total females

#### Division 8

- **Technicians:** Asian males, Black females, Asian females, American Indian/American Native females and total females
- **Skilled Craft:** Hispanic males, Asian males, American Indian/American Native males, Black females, and Hispanic females
- **Service Maintenance:** Hispanic males, Asian males, Black females, Hispanic females, Asian females, American Indian/American Native females and total females

### Central Office

- **Technicians:** American Indian/American Native males, Black females, Hispanic females, Asian females, American Indian/American Native females, and total females
- **Admin. Support:** Hispanic males, Asian males, American Indian/American Native males, Asian females and American Indian/American Native females
- **Skilled Craft:** Black males, Hispanic males, American Indian/American Native males, Hispanic females, Asian females, American Indian/American Native females and total females
- **Service Maintenance:** Hispanic males, Asian males, American Indian/American Native males, Black females, Hispanic females, Asian females, American Indian/American Native females, and total females

### Corrective Action

In order to remedy the problem of underutilization in the areas above, the ODOT has established goals in the following areas for FY 2015:

### Statewide

- **Official Administrator:** 4 Black females, 1 Hispanic female and 22 total females
- **Professional:** 3 Black females, 5 Hispanic females and 63 total females

### Division 1

- **Technicians:** 1 American Indian/American Native male and 36 American Indian/American Native females
- **Admin. Support:** 3 American Indian/American Native females and 1 total female
- **Skilled Craft:** 1 American Indian/American Native male and 7 total females
- **Service Maintenance:** 4 Hispanic females, 27 American Indian/American Native females, and 59 total females

### Division 2

- **Technicians:** 1 Hispanic females, 2 American Indian/American Native females, and 22 total females
- **Skilled Craft:** 1 total females
- **Service Maintenance:** 14 Black females, 1 Hispanic female, 13 American Indian/American Native females and 66 total females

### Division 3

- **Technicians:** 1 Black females, 1 American Indian/American Native females and 16 total females

- **Service Maintenance:** 2 Black males, 2 Hispanic males, 2 Black females, 3 Hispanic females, 2 Asian females, 3 American Indian/American Native females and 59 total females

#### Division 4

- **Technicians:** 1 Black females, 1 American Indian/American Native female and 19 total females
- **Service Maintenance:** 1 Asian male, 1 American Indian/American Native males, 2 Black females, 2 Hispanic females, 2 Asian females, 2 American Indian/American Native females and 45 total females

#### Division 5

- **Technicians:** 1 Hispanic females and 12 total females
- **Admin. Support:** 2 total females
- **Service Maintenance:** 7 Hispanic females and 76 total females

#### Division 6

- **Technicians:** 23 total females
- **Admin. Support:** 1 total female
- **Service Maintenance:** 5 Hispanic females and 4 total females

#### Division 7

- **Technicians:** 2 Hispanic males, 2 Black females, and 19 total females
- **Service Maintenance:** 9 American Indian/American Native males, 8 Hispanic females, and 19 American Indian/American Native females

#### Division 8

- **Technicians:** 2 Black females, 2 American Indian/American Native females, and 18 total females
- **Skilled Craft:** 1 total females
- **Service Maintenance:** 1 Black male, 2 Hispanic males, 1 Asian male, 7 Black females, 3 Hispanic females, 1 Asian females, 5 American Indian/American Native females, and 58 total females

#### Central Office

- **Technicians:** 10 Black females, 1 Hispanic females, 1 Asian females and 63 total females
- **Service Maintenance:** 3 total females

### **Actions and Plans to Eliminate Problem Areas**

Underutilization in some EEO categories is identified as a problem area for the Oklahoma Department of Transportation (ODOT). We are in the process of addressing these issues to ensure compliance. ODOT is pursuing additional methods on recruitment, training and strengthening internal policies overall to eliminate problem areas.

Other corrective actions, when appropriate, include but are not limited to:

- ODOT now has a new employee that is the agency's "Talent Manager" in the Human Resources Division. The CRD plans to work this employee in order to provide awareness and help with recruitment efforts at job fairs;
- Advertising announcements in minority newspapers, publications, and websites;
- Hiring summer college program participants whose career goals are related to the transportation industry when possible;
- Networking with Minority community leaders and organizations to promote awareness regarding ODOT and transportation industry;
- Continue working with public school systems and branch out of Oklahoma City public schools to promote awareness of transportation industry;
- Provide each ODOT Field Division with Availability Analysis by each division and identifying which EEO Job Groups are underutilized, so as vacancies occur in their respective divisions, they can focus outreach efforts to the population(s) represented in their division;
- Develop a process with each Field division to ensure that employment policies and practices such as interviewing and hiring are conducted in a non-discriminatory manner;
- Educate ODOT management and employees on the significance of turnover, underutilization, promotions, and so forth. For the next calendar year, the Civil Rights Division plans to speak with each division at their staff meeting on Title VII and ADA;
- Conduct a Civil Rights Conference for ODOT and all sub recipients to better understand the roles and programs in the CRD (conducted on February 27, 2015);
- Develop internal policies to ensure consistency on interviewing and selecting applicants for new hires and promotions;
- Develop courses on cultural awareness training and stereotyping for ODOT managers and employees;
- Continue to work on ODOT's Human Resources Division on the new employee orientation program to help assimilate new employees into ODOT's culture;
- Conduct surveys so that ODOT employees can express concerns anonymously for internal issues to be addressed;
- Continue to provide information to ODOT employees regarding the Limited English Proficiency Assessment to network in areas of high concentration of LEP, low income, and minority individuals and increase knowledge regarding employment with ODOT;
- Identify reasons of low attendance on participation in training offered by ODOT for Females; and

- Identify process of promotions because significant higher numbers of white males are being promoted compared to minorities and females.
- Conducted Title VII and Sexual Harassment training for Field Division 6.
- In the next Federal Fiscal Year conduct Title VII and Sexual Harassment training for the entire agency.

### **Responsibility for Implementing Each Action Item**

The Director shall give final approval of and have ultimate responsibility for all corrective action items and annual goals for the agency. The Director exercises overall responsibilities for equal employment opportunity and affirmative action with the Oklahoma Department of Transportation. Delegation of Authority to the Oklahoma Department of Transportation Civil Rights Division and implementation responsibilities for the Oklahoma Department of Transportation Equal Employment Opportunity Affirmative Action Plan are contained in the ODOT Director's official memorandum on Equal Employment Opportunity and Affirmative Action which is included in this AAP.

## **EMPLOYMENT PRACTICES**

### **260:25-9-3. Selection procedures**

(a) Selection procedures may consist of written tests; ratings of training and experience; performance tests; physical, educational, and work experience requirements; interviews; oral examinations; application forms and any other type of examination.

(b) When a job requires a written test, the Administrator shall administer tests to applicants or employees with disabilities that impair sensory, manual, or speaking skills in formats that do not require the use of the impaired skill, if the applicant or employee notifies the Administrator before the test is administered.

(c) Before appointment, applicants may be required to pass a physical examination specified by the Appointing Authority when requirements of the job demand specific physical condition or capabilities. Such physical examinations shall be uniform in nature and applied to all persons in that job within the agency. The responsibility for administering the physical examinations lies with the Appointing Authority.

### **260:25-9-4. Announcements**

The Administrator shall make public announcements of all entrance examinations in advance of the issuance of certificates. Such announcement shall include the waiting period between the date of the announcement and the release of names of eligible applicants to the appointing authority. An announcement may state the duties and salaries of positions in the jobs for which examinations are to be held; the qualifications required for admission to examinations; the time, place and manner of application; the proposed relative weights to be given the parts of the examination; and such other information as the Administrator may consider pertinent and useful.

### **260:25-9-5. Applications**

An application for employment shall be made on a form prescribed by the Administrator and shall be considered part of the examination. The application form solicits information from the applicant regarding residence, veterans preference, education, training, experience and other eligibility information. The form may also ask for demographic information, such as race, sex, and ethnicity, for statistical analysis and state and federal record keeping and reporting requirements. Demographic information may also be used for special employment programs specifically authorized by law. Information provided by applicants shall be subject to verification. All applications shall be signed in writing or by electronic signature by the applicant certifying the truth of all statements he or she made in the application. Applications must be filed with the Human Capital Management Division on or before the closing date specified in the announcements or postmarked before midnight on that date.



# **ODOT Policy Statements**

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

**No. B-306-6**

SUBJECT:

**DISCRIMINATION / FEDERAL FUNDING**

PAGE NO: **Page 1 of 5**

DATED: **09-01-2015**

EFFECTIVE DATE

**09/01/2015**

ISSUED BY:

**Director - Finance & Administration  
Civil Rights Division**

APPROVED

**/S/ J. Michael Patterson  
Executive Director**

UPDATED POLICY

POLICY NO.

**B-306-6**

DATED

**9/30/2011**

REFERENCE

**Federal Regulations-Civil Rights Act of 1964**

## POLICY

**THE DEPARTMENT OF TRANSPORTATION A.K.A THE DEPARTMENT, IS COMMITTED TO ENSURING THAT ALL DEPARTMENT SERVICES, PROGRAMS AND ACTIVITIES PROVIDED WITH FEDERAL FUNDING, ARE CONDUCTED IN A NON-DISCRIMINATORY MANNER AND PROTECTS INDIVIDUALS FROM DISCRIMINATION ON THE BASIS OF RACE, COLOR, OR NATIONAL ORIGIN IN ACCORDANCE WITH REGULATIONS OF "TITLE VI OF THE CIVIL RIGHTS ACT OF 1964".**

## DEFINITIONS

**Title VI, Civil Rights Act of 1964** states that "No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to, discrimination under any program or activity receiving Federal financial assistance." The Civil Rights Restoration Act of 1987 restored the original intent of Title VI and expanded the definition of "program or activity receiving Federal financial assistance" to include ALL programs or activities of a Federal recipient.

**Environmental Justice (EJ) (Executive Order 12898)** - Defined by the U.S. Environmental Protection Agency (EPA) as, "The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies."

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

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**Federal Assistance** - Refers to grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of Federal person; the sale and lease of Federal property; or any Federal agreement, arrangement, or other contract which as, one of its purposes, the provision of assistance.

**Recipient** - Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term recipient does not include any ultimate beneficiary under any such program.

**Limited English Proficiency (LEP) (Executive Order 13166)** - On August 11, 2000, the President signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order required Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

**(LEP)** - Any individual who does not speak English as their primary language and has a limited ability to read, speak, write, or understand English. These individuals may be entitled language assistance with respect to a particular type of service, benefit, or encounter.

## **IMPLEMENTATION (SPECIFIC)**

The Civil Rights Division (External Division) is responsible for monitoring THE Department's compliance with the Title VI program and for investigating and handling external complaints. Title VI covers:

- 1) All advertisements
- 2) Contracts/subcontracts
- 3) Title VI reports, issues, and complaints; public meetings and internal meetings related to Title VI
- 4) Title VI contract provisions and other legal documents
- 5) Other office area where discrimination may exist

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

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**9/30/2011**

REFERENCE

**Federal Regulations-Civil Rights Act of 1964**

## A. Compliance Reviews

Title VI Compliance Review (23 CFR, (b)(5)) will be conducted on major program areas and sub-recipients to determine the effectiveness of program area activities at all levels and to ensure non-discrimination. All areas are subject to review and a full review will be conducted every two years. Areas under review will be given two weeks' notice along with a copy of the compliance review questions before the on-site visit. A Determination of Findings (DOF) report will be issued after the on-site and a copy will be provided to the Department Director, Title VI Designee, FHWA, and the Civil Rights Division Manager. Areas will be given one week to respond to the DOF. Programs found out of compliance are required to develop a Corrective Action Plan to correct any deficiencies in the DOF within a period of ninety (90) days as stated in CFR 200.11. Senior staff members will receive a summary of each compliance review and the outcome.

## B. Title VI Designees

Each division (if applicable) is required to assign a Title VI designee(s) that is responsible for assisting the Title VI Coordinator to ensure non-discrimination at all levels, programs, and activities within their area(s). Title VI designees are required to submit monthly reports (if applicable) and attend training. Title VI designees assist in identifying and eliminating discrimination at the Department.

## C. Limited English Proficiency (LEP)

The Title VI Coordinator is responsible for ensuring that the Department employees know how to assist a LEP individual that comes into contact with any program, activity, or service at the Department. The Title VI Coordinator will conduct a LEP Assessment to identify language barriers, if any, from public individuals that come into contact at any of the nine (9) Department divisions. The Assessment will include the Four Factor Analysis and will be reviewed periodically with the current census to modify any changes.

Please refer to the current LEP Assessment on line for the languages that meet the threshold by division.

All divisions should be conscious of potential language barriers and are responsible for translating their vital document(s) to the required language. All divisions should take into

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

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account costs associated with LEP services in their annual budget. As updates are made regarding language barriers, divisions will be notified.

The Department has adopted the Safe Harbor Provisions and determined that the following documents are considered vital for the public and are to be available in the language(s) that reached the threshold.

- Americans with Disabilities complaint form
- Americans with Disabilities complaint process
- Americans with Disabilities brochure
- Request for Reasonable Accommodation form
- Title VI complaint form
- Title VI complaint process
- Title VI brochure
- Right-of-Way's "Relocation Assistance & Benefits for Business, Farms, and Residences pamphlet"
- Right-of-Way's "Property Rights brochure"
- Long Range Transportation plan
- Freight and Passenger Rail plan
- Asset Preservation plan
- Disadvantaged Business Enterprise's "Uniform Certification Application" form

A LEP Interpreter Translator database, which includes State approved vendors, employee volunteers, and other for fee individuals is available at U:\Civil\_Rt\Title VI\Limited English Proficient (LEP)\LEP-Interpreter-Translator Database.xlsx. Although these specific languages have been identified as reaching the threshold, each division is responsible for accommodating any individual that requests documents to be translated in another language when necessary.

Employees are required to follow the Title VI Coordinator's "Employee Guide - Process of Assisting a Limited English Proficient (LEP) Individual". The Department employees are responsible for filling out and submitting the LEP Reporting Form to the Title VI Coordinator after assisting a LEP individual. The LEP Reporting Form is available on the Intranet.

**D. Title VI Public Advertisement Notice**

The vital documents identified in the LEP Assessment are required to be included in the Title VI Public Advertisement Notice.

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

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UPDATED POLICY

POLICY NO.

**B-306-6**

DATED

**9/30/2011**

REFERENCE

**Federal Regulations-Civil Rights Act of 1964**

- Americans with Disabilities complaint form
- Americans with Disabilities complaint process
- Americans with Disabilities brochure
- Request for Reasonable Accommodation form
- Title VI complaint form
- Title VI complaint process
- Title VI brochure
- Right-of-Way's "Relocation Assistance & Benefits for Business, Farms and Resident pamphlet"
- Right-of-Way's "Property Rights Brochure"
- Long Range Transportation Plan
- Freight and Passenger Rail Plan
- Asset Preservation Plan
- Disadvantaged Business Enterprise's "Uniform Certification Application" form.

The following Title VI Public Advertisement Notice must be included on the bottom of the backside of the front cover, beneath the table of contents, or on the bottom of the very last page of the document:

**Department ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, religion, national origin, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the Department, its recipients, sub-recipients, and contractors.**

Other documents recommended to be included, but not listed as vital, are the Title VI Public Advertisement Notice.

## **E. Title VI Assurances**

All contracts are required to include the current Title VI Assurances in the Title VI Plan.

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

**No. B-306-7**

SUBJECT: <p style="text-align: center;"><b>Title I THE AMERICANS WITH DISABILITY ACT</b></p>	PAGE NO: <b>Page 1 of 10</b> DATED: <b>09-01-2015</b>
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EFFECTIVE DATE <b>09/01/2015</b>	ISSUED BY: <b>Director - Finance &amp; Administration Civil Rights Division</b>	APPROVED <b>/S/ J. Michael Patterson Executive Director</b>
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Revised Policy	POLICY NO. <b>B-306-7</b>	DATED <b>11-30-2011</b>	REFERENCE Federal Regulations Americans with Disability Act
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## POLICY

**THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, A.K.A THE DEPARTMENT, IS COMMITTED TO THE PRINCIPLES OF “THE AMERICANS WITH DISABILITIES ACT.” THE DEPARTMENT WILL NOT AND DOES NOT DISCRIMINATE AGAINST QUALIFIED INDIVIDUALS WITH DISABILITIES IN ANY ODOT PROGRAMS, SERVICES, ACTIVITIES OR EMPLOYMENT PRACTICES.**

## DEFINITIONS

**The Americans with Disabilities Act of 1990 (ADA)** - Public Law 101-336, a law that prohibits discrimination based on a disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. This law was enacted by the U.S. Congress in 1990. It was signed into law on July 26, 1990, by President George H. W. Bush and later amended with changes effective January 1, 2009. On September 25, 2008, President George W. Bush signed into law the ADA Amendments Act of 2008 (ADAAA).

**The Americans with Disabilities Act Accessibility Guidelines (ADAAG)** - Document that contains scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990. These scoping and technical requirements are to be applied during the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA to the extent required by regulations issued by Federal agencies, including the Department of Justice and the Department of Transportation, under the ADA.

**The Code of Federal Regulations (CFR)** - Codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to Federal regulation.

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The 50 subject matter titles contain one or more individual volumes which are updated once each calendar year on a staggered basis. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts that cover specific regulatory areas. Large parts may be subdivided into subparts. All parts are organized in sections, and most citations to the CFR refer to material at the section level.

**Disability** - A physical or mental impairment that substantially limits one or more of the person’s major life activities; or a record of such impairment; or being regarded as having such and impairment.

**Essential Functions** - Fundamental job duties of a position. A particular function would be essential, for example, because the reason the position exists is to perform that function; or there are a limited number of employees among whom that function can be distributed; or the function is specialized to his or her ability.

**The Federal Highway Administration (FHWA)** - An agency within the U.S. Department of Transportation that supports state and local governments in the design, construction, and maintenance of the nation’s highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands Highway Program). Through financial and technical assistance to state and local governments, the Federal Highway Administration is responsible for ensuring that America’s roads and highways continue to be among the safest and most technologically sound in the world.

**The Federal Transit Administration (FTA)** – The Federal Transit Administration (FTA) is an agency within the United States Department of Transportation (DOT) that provides financial and technical assistance to local public transit systems. The FTA is one of ten modal administrations within the DOT and headed by an Administrator who is appointed by the President of the United States. The FTA functions through a Washington, D.C. headquarters office and ten regional offices which assist transit agencies in all states, the District of Columbia and the territories. Until 1991, it was known as the Urban Mass Transportation Administration (UMTA).

Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, and people movers. The federal government, through the FTA, provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. The FTA oversees grants to state and local transit providers, primarily through its ten regional offices. These grantees are responsible for managing their programs in accordance with federal requirements and the FTA is responsible for ensuring that

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

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SUBJECT:

**Title I THE AMERICANS WITH DISABILITY ACT**

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EFFECTIVE DATE

**09/01/2015**

ISSUED BY:

**Director - Finance & Administration  
Civil Rights Division**

APPROVED

**/S/ J. Michael Patterson  
Executive Director**

Revised Policy

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**11-30-2011**

REFERENCE

Federal Regulations  
Americans with Disability Act

grantees follow federal mandates along with statutory and administrative requirements.

**Major Life Activities** - Functions such as walking, seeing, hearing, breathing, caring for oneself, performing manual tasks, sitting, standing, lifting, learning, and thinking.

**The Oklahoma Department of Transportation (ODOT A.K.A the Department)** - An agency of the government of Oklahoma responsible for the construction, maintenance, and regulation of the use of the state's transportation infrastructure. The Department is the primary infrastructure, construction, and maintenance agency of the state along with the Oklahoma Turnpike Authority.

**Physical or Mental Impairment** - Covers physiological disorder and/or mental or psychological disorder. Examples of impairments include, but is not limited to: physiological disorder and/or mental or psychological disorder, contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

**The Public Rights-of-Way Guidelines (PROWAG)** - Accessibility guidelines proposed by the Architectural and Transportation Barriers Compliance Board. These guidelines will cover the design, construction, and alteration of pedestrian facilities in the public right-of-way. The guidelines ensure that sidewalks, pedestrian street crossings, pedestrian signals, and other facilities for pedestrian circulation and use, constructed or altered in the public right-of-way by state and local governments, are readily accessible to, and usable by, pedestrians with disabilities. Compliance with the accessibility standards is mandatory when the guidelines are adopted, with or without additions and modifications, as accessibility standards in regulations issued by other federal agencies implementing the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Architectural Barriers Act.

**Qualified Person with a Disability** - A person that has a disability and is qualified to perform the essential functions of the job either with or without a reasonable accommodation.

**Reasonable Accommodations** - Any changes in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. There are three categories of reasonable accommodations:

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- 1) Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires.
  
- 2) Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position.
  
- 3) Modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.

**Record of Such Impairment** - Someone who may have a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

**Regarded as Having an Impairment** - Being treated as having an impairment.

**Section 504 of the Rehabilitation Act of 1973 (Section 504)** - Protects qualified individuals from discrimination based on their disability. Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

**Section 508 of the Rehabilitation Act of 1973 (Section 508)** - Requires access to electronic and information technology. The law applies when developing, procuring, maintaining, or using electronic and information technology. State agencies must ensure that this technology is accessible to employees and members of the public with disabilities to the extent it does not pose an "undue burden." Section 508 speaks to various means for disseminating information, including computers, software, and electronic office equipment. Section 508 is not a federal requirement. However, the State of Oklahoma adopted and signed Section 508 into law in 2004.

**Service Animal** - An animal that performs a task or tasks for a person with a disability in order to help overcome limitations resulting from that disability. Federal law defines service animal as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other

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mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability" (Department of Justice-ADA Title II and III)

Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

**Social / Therapy Animals** – Has no legal definition. They often are animals that did not complete service animal or service dog training due to health, disposition, trainability, or other factors, and are made available as pets for people who have disabilities. These animals might or might not meet the definition of service animals.

**Therapy Animals** - Not legally defined by federal law, but some states have laws defining therapy animals. They provide people with contact to animals, but are not limited to working with people who have disabilities. They are usually the personal pets of their handlers and work with their handlers to provide services to others. Federal laws have no provisions for people to be accompanied by therapy animals in places of public accommodation that have "no pets" policies. Therapy animals usually are not service animals.

**Undue Hardship** – Refers not only to financial difficulty but to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the business. An employer must assess, on a case-by-case basis, whether a particular reasonable accommodation would cause undue hardship.

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ISSUED BY:

**Director - Finance & Administration  
Civil Rights Division**

APPROVED

**/S/ J. Michael Patterson  
Executive Director**

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**Federal Regulations  
Americans with Disability Act**

## **AMERICANS WITH DISABILITIES ACT**

The Americans with Disabilities Act of 1990 (ADA) was established to provide a comprehensive national mandate for the elimination of discrimination against individuals with disabilities. The goal is to optimize the accessibility of the Department's facilities, programs and services, to provide safe and usable pedestrian facilities, and to ensure compliance with all federal, state and local regulations and standards.

Title I of the ADA prohibits state and local governments from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. This title restricts questions that can be asked about an applicant's disability before a job offer is made and it required that employers make reasonable accommodation to qualified individuals, unless it results in undue hardship.

## **ROLES AND RESPONSIBILITIES**

**Employee** - Any employee who wishes to be considered for an accommodation under these procedures may bring to the attention of his/her supervisor a need for reasonable accommodation. The accommodation would modify or adjust the work environment, the manner or circumstance under which the position held or desired is customarily performed, enable the employee to perform the essential functions of the position, or allow the employee to enjoy equal benefits and privileges of employment. The employee must participate in the interactive process or designate someone to do so, and shall provide, when necessary, reasonable documentation in accordance with these procedures. Requests for reasonable accommodation may also be made to any agency official proposing to take a performance and/or conduct based action. This request may be oral or in writing.

**Supervisor** – Ensures non-discrimination at all levels in all programs, services and activities within their areas, which shall include all privileges of employment. Also, receives processes and documents the reasonable accommodation request and is authorized to approve the accommodation or forward the request to the appropriate official for consideration. Participates in the interactive process, responds expeditiously, maintains confidentiality and consults with the Employee Relations staff when an accommodation is requested in conjunction with an anticipated or pending performance and/or conduct based action.

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**ADA/504/508 Coordinator** - Has overall responsibility for the Department ADA/504/508 program. This includes creating and implementing policies and procedures for the program, conducting investigations, providing guidance, assistance, and oversight for the program for employees, non-employees, recipients, stakeholders, etc.

**ADA/504/508 Liaison** - Each division (if applicable) is required to assign an ADA/504/508 Liaison that is responsible for assisting the Coordinator and ensuring non-discrimination at all levels of any ODOT programs, services and/or activities within their area(s).

All liaisons assist in identifying and eliminating discrimination. Please contact the ADA Coordinator for a listing of all ADA Liaisons for the Department.

## **IMPLEMENTATION**

In the event an individual believes that ODOT has failed to comply with ADA by not providing equivalent access to any Department service, program, or activity, that individual, or group of individuals, may file a complaint. The process for filing an ADA Title I Complaint is as follows:

- 1) A written complaint should be filed within one hundred eighty (180) calendar days of the alleged occurrence using the Department’s ADA complaint form (Form T1-01). Copies of this form may be printed from the Department’s website or a copy may be obtained by contacting the ADA/504/508 Coordinator. Employees may also utilize the internal agency grievance procedure within twenty (20) calendar days of the alleged occurrence.

***The use of these procedures does not prohibit an employee from filing a complaint or appeal with the Attorney General’s Office, EEOC, the Oklahoma Merit Protection Commission or any other authorized entity.***

- 2) The complaint will be reviewed within ten (10) calendar days of receipt to determine whether it contains all the necessary information required for acceptance.
  - a) If the complaint is complete and no additional information is needed, the Department will contact the complainant to discuss the information contained within the complaint and explain the forthcoming complaint process.

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

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**Director - Finance & Administration  
Civil Rights Division**

APPROVED

**/S/ J. Michael Patterson  
Executive Director**

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**Federal Regulations  
Americans with Disability Act**

- b) If the complaint is incomplete, the complainant will be contacted in writing, by telephone or by email to obtain the additional information. The complainant will be given fifteen (15) calendar days to respond to the request for additional information.
- 3) The Department will investigate the complaint within ninety (90) calendar days from the receipt of the signed complaint form. An extension of up to ninety (90) calendar days may be granted if both parties are in agreement.
- 4) The Department will then provide a Letter of Findings (LOF) to the complainant and all involved parties. All investigations through the Civil Rights Division are confidential and copies will not be provided. However, the file can be viewed and notes taken by appointment only.
- 5) If the complainant disagrees with the result of the complaint, an appeal may be filed with the Oklahoma Merit Protection Commission.

Oklahoma Merit Protection Commission  
3545 NW 58<sup>th</sup> Street, Suite #360  
Oklahoma City, OK. 73112  
Voice: 405-525-9144  
Fax: 405-528-6245  
Email: [www.ok.gov/okmpc](http://www.ok.gov/okmpc)

## **RETALIATION OR COERCION**

No private or public entity shall discriminate against any individual because that individual has opposed any act or practice made unlawful, or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the Act.

No private or public entity shall coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by the Act.

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## NOTICES

As part of the Department’s regulatory responsibilities under the ADA, the Department must ensure that no qualified individual with a disability shall, on the basis of a disability, be excluded from participation in, or be denied the benefits of, any program, service or activity administered by the Department, including employment practices. Therefore, any publication available to employees and to the public shall include the following statement:

*The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.*

Additional language must be added in the case of reasonable accommodation:

*In compliance with the Americans with Disabilities Act, the Oklahoma Department of Transportation will provide **reasonable accommodations** for persons with disabilities, upon request. To request an accommodation, please contact the ADA/504/508 Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353, no later than 72 hours before any scheduled event; or*

To ensure all applicants are aware that the Department does not **discriminate in employment practices**, the Department must include the below language in all department vacancy announcements:

*The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities including all employment practices. To request an accommodation, please contact the ADA/504/508 Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353.*

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

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<b>EFFECTIVE DATE</b> 09/01/2015	<b>ISSUED BY:</b> <div style="text-align: center; font-weight: bold;">                     Director - Finance &amp; Administration                      Civil Rights Division                 </div>	<b>APPROVED</b> <div style="text-align: center; font-weight: bold; font-size: 1.2em;">                     /S/ J. Michael Patterson                      Executive Director                 </div>
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<b>REFERENCE</b> Federal Regulations Americans with Disability Act		

## REFERENCES

United States Department of Justice Civil Rights Division  
[http://www.ada.gov/ada\\_title\\_I.htm](http://www.ada.gov/ada_title_I.htm)

United States Equal Employment Opportunity Commission  
<http://www.eeoc.gov/laws/types/disability.cfm>

United States Department of Labor  
<http://www.dol.gov/dol/topic/disability/ada.htm>

Job Accommodation Network  
<http://askjan.org/>

Link to Policy Directives (Intranet)  
<http://intranet/policy/policy.pdf>

Doing Business with the ODOT Civil Rights Division (Internet)  
[http://ok.gov/odot/Doing\\_Business/Civil\\_Rights/index.html](http://ok.gov/odot/Doing_Business/Civil_Rights/index.html)  
 Office of Management and Budget (OMB Circular No. A-122)  
[http://www.whitehouse.gov/omb/circulars\\_a122\\_2004/](http://www.whitehouse.gov/omb/circulars_a122_2004/)

Federal Highway Administration – Civil Rights Division  
<http://www.fhwa.dot.gov/civilrights/>

Federal Transit Administration  
<http://www.fta.dot.gov/civilrights/12325.html>

Disability and Business Technical Assistance Centers (DBTAC)  
[www.adata.org](http://www.adata.org)

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

**No. B-306-8**

SUBJECT:

**DISABILITY / REASONABLE ACCOMMODATION**

PAGE NO: **Page 1 of 13**

DATED: **09-01-2015**

EFFECTIVE DATE

**09/01/2015**

ISSUED BY:

**Director - Finance & Administration  
Civil Rights Division**

APPROVED

**/S/ J. Michael Patterson  
Executive Director**

Revised Policy

POLICY NO.

**B-306-8**

DATED

**11-30-2011**

REFERENCE

Federal Regulations & EEOC  
The Americans with Disability Act of 1990

## POLICY

THE DEPARTMENT OF TRANSPORTATION, A.K.A., THE DEPARTMENT, IS COMMITTED TO THE PRINCIPLES OF “THE AMERICANS WITH DISABILITIES ACT OF 1990.” THE DEPARTMENT ENSURES THAT ALL QUALIFIED INDIVIDUALS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION THAT WILL ENABLE THAT INDIVIDUAL WITH A DISABILITY TO PERFORM THE REQUIRED ESSENTIAL JOB FUNCTIONS WITHOUT CAUSING AN UNDUE HARDSHIP. THE DEPARTMENT SHALL ENSURE THAT QUALIFIED INDIVIDUALS ARE INFORMED OF THEIR RIGHTS AND PRIVILEGES IN EMPLOYMENT EQUAL TO THOSE OF EMPLOYEES WITHOUT DISABILITIES.

## DEFINITIONS

**Americans with Disabilities Act (ADA)** - Public Law 101-336, a law that prohibits discrimination based on a disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. This law was enacted by the U.S. Congress in 1990 and was signed into law on July 26, 1990, by President George H. W. Bush, and later amended with changes effective January 1, 2009. On September 25, 2008, President George W. Bush signed into law the ADA Amendments Act of 2008 (ADAAA).

**Disability** - A physical or mental impairment that substantially limits one or more of the person’s major life activities; a record of such impairment; or being regarded as having such and impairment.

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

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SUBJECT: <b>DISABILITY / REASONABLE ACCOMMODATION</b>	PAGE NO: <b>Page 2 of 13</b> DATED: <b>09-01-2015</b>
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Revised Policy	POLICY NO. <b>B-306-8</b>	DATED <b>11-30-2011</b>	REFERENCE Federal Regulations & EEOC The Americans with Disability Act of 1990
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**Essential Job Functions** - Fundamental job duties of a position. A particular function would be essential, for example, because the reason the position exists is to perform that function; or there are a limited number of employees among whom that function can be distributed; or the function is specialized to his or her ability.

**The Federal Highway Administration (FHWA)** - An agency within the U.S. Department of Transportation that supports state and local governments in the design, construction, and maintenance of the nation's highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands Highway Program). Through financial and technical assistance to state and local governments, the Federal Highway Administration is responsible for ensuring that America's roads and highways continue to be among the safest and most technologically sound in the world.

**The Federal Transit Administration (FTA)** – The Federal Transit Administration (FTA) is an agency within the United States Department of Transportation (DOT) that provides financial and technical assistance to local public transit systems. The FTA is one of ten modal administrations within the DOT and headed by an Administrator who is appointed by the President of the United States. The FTA functions through a Washington, D.C. headquarters office and ten regional offices which assist transit agencies in all states, the District of Columbia and the territories. Until 1991, it was known as the Urban Mass Transportation Administration (UMTA).

Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, and people movers. The federal government, through the FTA, provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. The FTA oversees grants to state and local transit providers, primarily through its ten regional offices. These grantees are responsible for managing their programs in accordance with federal requirements and the FTA is responsible for ensuring that grantees follow federal mandates along with statutory and administrative requirements.

**Major Life Activities** - Functions such as walking, seeing, hearing, breathing, caring for one self, performing manual tasks, sitting, standing, lifting, learning, and thinking.

**The Oklahoma Department of Transportation (A.K.A the Department)** - An agency of the government of Oklahoma responsible for the construction, maintenance, and regulation of the use of the state's transportation infrastructure. The Department is the primary infrastructure, construction, and maintenance agency of the state along with the Oklahoma Turnpike Authority.

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

**No. B-306-8**

SUBJECT: <b>DISABILITY / REASONABLE ACCOMMODATION</b>	PAGE NO: <b>Page 3 of 13</b> DATED: <b>09-01-2015</b>
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Revised Policy	POLICY NO. <b>B-306-8</b>	DATED <b>11-30-2011</b>	REFERENCE Federal Regulations & EEOC The Americans with Disability Act of 1990
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**Physical or Mental Impairment** - Covers physiological, mental or psychological disorders and includes, but is not limited to, contagious and noncontagious diseases, and conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

**The Public Rights-of-Way Guidelines (PROWAG)** - Accessibility guidelines proposed by the Architectural and Transportation Barriers Compliance Board. These guidelines will cover the design, construction, and alteration of pedestrian facilities in the public right-of-way. The guidelines ensure that sidewalks, pedestrian street crossings, pedestrian signals, and other facilities for pedestrian circulation and use, constructed or altered in the public right-of-way by state and local governments, are readily accessible to, and usable by, pedestrians with disabilities. Compliance with the accessibility standards is mandatory when the guidelines are adopted, with or without additions and modifications, as accessibility standards in regulations issued by other federal agencies implementing the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Architectural Barriers Act.

**Qualified Person with a Disability** - A person that has a disability and is qualified to perform the essential functions of the job either with or without a reasonable accommodation.

**Reasonable Accommodations** - Any changes in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. There are three categories of reasonable accommodations:

- 1) Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position they desires
- 2) Modifications or adjustments to the work environment or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position
- 3) Modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.

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**Record of Such Impairment** - Someone who may have a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

**Regarded as Having an Impairment** - Being treated as having an impairment.

**Section 504 of the Rehabilitation Act of 1973** - Protects qualified individuals from discrimination based on their disability. Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

**Section 508 of the Rehabilitation Act of 1973** - Requires access to electronic and information technology. The law applies when developing, procuring, maintaining, or using electronic and information technology. State agencies must ensure that this technology is accessible to employees and members of the public with disabilities to the extent it does not pose an "undue burden." Section 508 speaks to various means for disseminating information, including computers, software and electronic office equipment. Section 508 is not a federal requirement. However, the State of Oklahoma adopted and signed Section 508 into law in 2004.

**Service Animal** - An animal that performs a task or tasks for a person with a disability in order to help overcome limitations resulting from that disability. Federal law defines service animal as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability (Department of Justice-ADA Title II and III).

Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and

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Executive Director**

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the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

**Social / Therapy Animals** – Has no legal definition. They often are animals that did not complete service animal or service dog training due to health, disposition, trainability, or other factors, and are made available as pets for people who have disabilities. These animals might or might not meet the definition of service animals.

**Therapy Animals** - Not legally defined by federal law but some states have laws defining therapy animals. They provide people with contact to animals, but are not limited to working with people who have disabilities. They are usually the personal pets of their handlers, and work with their handlers to provide services to others. Federal laws have no provisions for people to be accompanied by therapy animals in places of public accommodation that have "no pets" policies. Therapy animals usually are not service animals.

**Undue Hardship** - Refers not only to financial difficulty, but to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the business. An employer must assess on a case-by-case basis whether a particular reasonable accommodation would cause undue hardship.

## **AMERICANS WITH DISABILITIES ACT**

The Americans with Disabilities Act of 1990 (ADA) was established to provide a comprehensive national mandate for the elimination of discrimination against individuals with disabilities. The goal is to optimize the accessibility of the Department facilities, programs and services, to provide safe and usable pedestrian facilities for all pedestrians, and to assure compliance with all federal, state and local regulations and standards.

Title I of the ADA prohibits state and local governments from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. This title restricts questions that can be asked about an applicant's disability before a job offer is made and it required that employers make reasonable accommodation to qualified individuals, unless it results in undue hardship.

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## **SERVICE ANIMALS**

According to the Equal Employment Opportunity Commission (EEOC), there is no specific definition of service animal under title I. This title does not require employers to automatically allow employees to bring their service animal to work. Instead, allowing a service animal in the workplace is a form of reasonable accommodation. Under the Americans with Disabilities Act of 1990 (ADA), public entities are required to make reasonable modifications in policies, practices or procedures to permit service animals, unless doing so would result in an undue hardship. The same provisions that apply to service dogs also apply to miniature horses.

An employer shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse as a service animal by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability subject to an assessment of the type, size, and weight of the miniature horse and whether the facility can accommodate these features.

When an employee with a disability requests to use a service animal at work, the employer has the right to request documentation or demonstration of the need for the service animal, that the service animal is trained, and that the service animal will not disrupt the workplace. However, this documentation may not be available from a healthcare provider so the employer may need to consider other sources for the documentation. (Ex. Whoever trained the service animal).

## **ROLES AND RESPONSIBILITIES**

**Employee** - Any employee who wishes to be considered for an accommodation under these procedures may bring to the attention of his/her supervisor a need for reasonable accommodation. The accommodation would modify or adjust the work environment, the manner or circumstances under which the position held or desired is customarily performed, or that enable the employee to perform the essential functions of the position, or allow the employee to enjoy equal benefits and privileges of employment. The employee must participate in the interactive process or designate someone to do so, and shall provide reasonable documentation in accordance with these procedures, when necessary. Requests for reasonable accommodation may also be made to any agency official proposing to take a performance or conduct action. This request may be oral or in writing.

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**Supervisor** - Ensure non-discrimination at all levels in all programs, services and activities within their areas which shall include all privileges of employment. Also, receives, processes and documents the reasonable accommodation request and is authorized to approve the accommodation or forward the request to the appropriate official for consideration, participates in the interactive process, responds expeditiously, maintains confidentiality and consults with the ADA/504/508 Coordinator when an accommodation is requested in conjunction with an anticipated or pending performance and/or conduct based action.

**ADA/504/508 Coordinator** - Has overall responsibility for the Department ADA/504/508 program. This includes creating and implementing policies and procedures for the program, conducting investigations, providing guidance, assistance and oversight of the program for employees, non-employees, recipients, stakeholders, etc...

**ADA/504/508 LIAISONS** - Each division (if applicable) is required to assign an ADA/504/508 Liaison that is responsible for assisting the ADA/504/508 Coordinator to ensure non-discrimination at all levels, programs, and activities within their area(s). ADA/504/508 Liaisons assist in identifying and eliminating discrimination. Please contact the ADA Coordinator for a listing of all ADA Liaisons for the Department.

## **IMPLEMENTATION**

In the event that a qualified individual with disability would like to request a reasonable accommodation, the request process is as follows:

- 1) Anyone seeking a reasonable accommodation should submit a verbal request and/or a written request using the Department's "Reasonable Accommodation Form" (Form RA-01 Part A). Copies of this form may be printed from the Department's website or a copy may be obtained by contacting the ADA/504/508 Coordinator.
- 2) The completed form will then be submitted to his or her immediate supervisor. The form must also include any available documentation supporting the stated need based upon a disability. This request form starts the documentation process and the supervisor will create a file and will document the Reasonable Accommodation process.

When the request requires higher administrative approval, or the division feels the request would be better suited with the Civil Rights Division, the immediate supervisor will review the request and forward it with a written recommendation to the division

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manager within two (2) business days of receiving the request. The division manager will then refer the request to the ADA/504/508 Coordinator in writing. Thereafter, the Coordinator will continue with the accommodation process.

- 3) The supervisor or division manager will contact the applicant or employee within 10 business days after the request is made to begin discussing the accommodation request.

The supervisor or manager must then ask for documentation describing the impairment/limitations; the nature, severity, and duration of the impairment; the activity or activities that the impairment limits; and the extent to which the impairment limits the employee's ability to perform the activity or activities. This documentation must be obtained from an appropriate health care or rehabilitation professional. The appropriate professional in any particular situation will depend on the disability and the type of functional limitation it imposes. Appropriate professionals include, but are not limited to, doctors (including psychiatrists), psychologists, nurses, physical therapists, occupational therapists, speech therapists, vocational rehabilitation specialists, and licensed mental health professionals. The individual can be asked to sign a limited release allowing the employer to submit a list of specific questions to the health care or rehabilitation professional. The supervisor should inform the requestor that this information is needed to verify the disability and to help provide the most effective reasonable accommodation

The requested documentation must be submitted for the request within 30 calendar days of the date the request was filed. In the event the documentation has not been submitted within the allotted time frame, the supervisor or manager must provide a written statement to the ADA/504/508 Coordinator providing all case information. Upon receipt of this information, the ADA/504/508 Coordinator will then provide a written notice of failure to provide sufficient documentation to the requestor and to conclude the request process.

Medical Records must not be obtained. These records contain information unrelated to the disability at issue and the need for accommodation.

Requested documentation may not be necessary if there is a previous record of the disability and/or the disability is obvious. The supervisor or manager may simply discuss the nature of the disability and functional limitations with the individual.

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- 4) After documentation has been obtained, the supervisor or division manager will decide upon the request utilizing the interactive process. This process includes:
- a) analysis of the particular job to determine its purpose and essential functions
  - b) a consultation with the employee to ascertain the precise job-related limitations imposed by the individual's disability and how those limitation could be overcome with a reasonable accommodation
  - c) identification of potential accommodations and, in conjunction with the employee, an assessment of the effectiveness of those accommodations in enabling the employee to perform the essential functions of the job
  - d) consideration of the preference of the employee and selection and implementation of the accommodation that is appropriate for the employee and the employer
  - e) the overall needs of the office

Communication is a priority throughout the entire process, but particularly where the specific limitation, problem, or barrier is unclear or where the parties are considering different forms of reasonable accommodation. Both the individual making the request and the decision maker should work together to identify effective accommodations.

*The accommodation need not be the most expensive, nor must it be exactly what the employee requests, but it must be effective.*

- 5) Once information about the case has been obtained the supervisor or division manager will then determine if the requested accommodation will cause an undue hardship on the agency as a whole, which may include financial difficulty, be disruptive or would fundamentally alter the nature or operation of the agency. Undue hardship issues will be dealt with on a case-by-case basis.

In the event that any accommodation would cause an undue hardship, the division manager must submit a written statement to the Department ADA/504/508 Coordinator, providing all case information and a written statement of the reasons for reaching this conclusion. In turn, the ADA/504/508 Coordinator will review the case and consider all resources available to determine if the claim that has been submitted, is valid and/or would cause an undue hardship on the agency as a whole.

If the ADA/504/508 Coordinator feels the claim is valid and/or would cause an undue hardship to the agency, a written statement of concurrence will be drafted along with all

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case documentation, to the head of the Department for his/her final decision. Once this decision has been made, a Letter of Decision will be created by the ADA/504/508 Coordinator.

If the ADA/504/508 Coordinator feels the request and/or claim of undue hardship is invalid, a written statement will be drafted and sent to the division manager informing them of the invalid claim. Once this decision has been made the ADA/504/508 Coordinator will then step in and work with the requestor to identify an effective reasonable accommodation.

- 6) When a third party (e.g., an individual's doctor) requests accommodation on behalf of an applicant or employee, the supervisor and/or division manager should, if possible, confirm with the applicant or employee that he wants a reasonable accommodation before proceeding. Where this is not possible, for example, because the employee has been hospitalized in an acute condition, the supervisor or division manager will process the third party's request if it seems appropriate and will consult directly with the individual needing the accommodation 30 days after the doctor has released the individual.
- 7) The supervisor or division manager may need to consult with other personnel (e.g., an employee's supervisor, Information Technology staff, IT Steering Committee) or outside sources to obtain information necessary to make a determination about the request.
- 8) The petitioner will be notified on the decision regarding the request within 30 days of receipt of the request and no further action will be required by the petitioner. The request will be implemented by the appropriate Department.

All Reasonable Accommodations must be put in place within ninety (90) calendar days of the final decision.

All Reasonable Accommodations that are put in place will be re-evaluated after a thirty (30) calendar day trial period.

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## **RETALIATION OR COERCION**

No private or public entity shall discriminate against any individual because that individual has opposed any act or practice made unlawful or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the Act.

No private or public entity shall coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or because of his/her having exercised or enjoyed, or because of his/her having aided or encouraged any other individual in the exercise or enjoyment of any right granted or protected by the Act.

## **NOTICES**

As part of the Department's regulatory responsibilities under the ADA, the Department must ensure that no qualified individual with a disability shall, on the basis of a disability, be excluded from participation in, or be denied the benefits of, any program, service or activity administered by the Department, including employment practices. Therefore, any publication available to employees and to the public shall include the following statement:

*The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the Department, its recipients, sub-recipients, and contractors. To request an accommodation, please contact the ADA/504/508 Coordinator at 405-521-4140 or the Oklahoma Relay Service T 1-800-722-0353.*

Additional language must be added in the case of reasonable accommodation:

In compliance with the Americans with Disabilities Act, the Oklahoma Department of Transportation will provide reasonable accommodations for persons with disabilities, upon request. To request an accommodation, please contact the ADA/504/508 Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353, no later than 72 hours before any scheduled event.

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To ensure all applicants are aware that the Department does not discriminate in employment practices, the Department must include the below language in all department vacancy announcements:

*The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities including all employment practices. To request an accommodation, please contact the ADA/504/508 Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353.*

## REFERENCES

United States Department of Justice Civil Rights Division  
[http://www.ada.gov/ada\\_title\\_1.htm](http://www.ada.gov/ada_title_1.htm)

United States Equal Employment Opportunity Commission  
<http://www.eeoc.gov/laws/types/disability.cfm>

United States Department of Labor  
<http://www.dol.gov/dol/topic/disability/ada.htm>

Job Accommodation Network  
<http://askjan.org/>

Link to Policy Directives (Intranet)  
<http://intranet/policy/policy.pdf>

Doing Business with the ODOT Civil Rights Division (Internet)  
[http://ok.gov/odot/Doing\\_Business/Civil\\_Rights/index.html](http://ok.gov/odot/Doing_Business/Civil_Rights/index.html)

Office of Management and Budget (OMB Circular No. A-122)  
[http://www.whitehouse.gov/omb/circulars\\_a122\\_2004/](http://www.whitehouse.gov/omb/circulars_a122_2004/)

Federal Highway Administration – Civil Rights Division

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<http://www.fhwa.dot.gov/civilrights/>

Federal Transit Administration

<http://www.fta.dot.gov/civilrights/12325.html>

Disability and Business Technical Assistance Centers (DBTAC)

[www.adata.org](http://www.adata.org)

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

**No. B-306-9**

SUBJECT:

**DISABILITY / ELECTRONIC & INFORMATION TECHNOLOGY**

PAGE NO: **Page 1 of 8**

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**11-30-2011**

REFERENCE

Federal Regulations  
Section 508 of the Rehabilitation Act of 1973  
Section 508 of the Rehabilitation Act of 1990

## POLICY

THE DEPARTMENT OF TRANSPORTATION, A.K.A. THE DEPARTMENT, IS COMMITTED TO THE PRINCIPLES OF "SECTION 508 OF THE REHABILITATION ACT OF 1973". THE DEPARTMENT SHALL ENSURE, UNLESS AN UNDUE BURDEN IS IMPOSED ON THE AGENCY, THAT WHEN DEVELOPING, PROCURING, MAINTAINING OR USING ELECTRONIC & INFORMATION TECHNOLOGY THAT IT ALLOWS EMPLOYEES, PROGRAM PARTICIPANTS AND MEMBERS OF THE PUBLIC WITH DISABILITIES, ACCESS TO, AND USE OF, INFORMATION AND DATA THAT IS COMPARABLE TO ACCESS AND USE BY INDIVIDUALS WITHOUT DISABILITIES.

## DEFINITIONS

**Americans with Disabilities Act of 1990 (ADA)** - Public Law 101-336, a law that prohibits discrimination based on a disability in employment, state and local government, public accommodations, commercial facilities, transportation and telecommunications. This law was enacted by the U.S. Congress in 1990 and was signed into law on July 26, 1990, by President George H. W. Bush, and later amended with changes effective January 1, 2009. On September 25, 2008, President George W. Bush signed into law the ADA Amendments Act of 2008 (ADAAA).

**Disability** - A physical or mental impairment that substantially limits one or more of the person's major life activities, a record of such impairment or being regarded as having such an impairment.

**Essential Job Functions** - Fundamental job duties of a position. A particular function would be essential, for example, because the reason the position exists is to perform that function;

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there are a limited number of employees among whom that function can be distributed; or the function is specialized to his or her ability

**Major Life Activities** - Functions such as walking, seeing, hearing, breathing, caring for oneself, performing manual tasks, sitting, standing, lifting, learning and thinking.

**Physical or Mental Impairment** - Covers physiological, mental or psychological disorder and includes, but is not limited to, contagious and noncontagious diseases and conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction and alcoholism.

**Qualified Person with a Disability** - A person that has a disability and is qualified to perform the essential functions of the job either with or without a reasonable accommodation.

**Reasonable Accommodations** - Any changes in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. There are three categories of reasonable accommodations:

- 1) modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position
- 2) modifications or adjustments to the work environment or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position
- 3) modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities

**Record of Such Impairment** - Someone who may have a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

**Regarded as Having an Impairment** - Being treated as having an impairment

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Revised Policy	POLICY NO. <b>B-306-9</b>	DATED <b>11-30-2011</b>	REFERENCE Federal Regulations Section 508 of the Rehabilitation Act of 1973 Section 508 of the Rehabilitation Act of 1973
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**Section 508 of the Rehabilitation Act of 1973** - Requires access to electronic and information technology. The law applies when developing, procuring, maintaining or using electronic and information technology. State agencies must ensure that this technology is accessible to employees and members of the public with disabilities to the extent it does not pose an "undue burden." Section 508 speaks to various means for disseminating information, including computers, software and electronic office equipment. Section 508 is not a federal requirement. However, the State of Oklahoma adopted and signed Section 508 into law in 2004.

**Undue Hardship** - Refers not only to financial difficulty but to reasonable accommodations that are unduly extensive, substantial, disruptive, or those that would fundamentally alter the nature or operation of the business. An employer must assess on a case-by-case basis whether a particular reasonable accommodation would cause undue hardship.

## **SECTION 508 OF THE REHABILITATION ACT OF 1973**

In 1998, Congress amended the Rehabilitation Act of 1973 to require Federal agencies to make their electronic and information technology (EIT) accessible to people with disabilities. Section 508 was passed by the Oklahoma Legislature and signed by the Governor of Oklahoma in 2004. The standards apply to all state agencies, as defined. As such, they apply equally to all state employees, contractors or any entity that deals with the State of Oklahoma.

The purpose of the law indicates that state agencies, when developing, procuring, maintaining or using information technology, or when administering contracts or grants that include the procurement, development, upgrading or replacement of information technology, shall ensure, unless an undue burden would be imposed on the agency, that the information technology allows employees, program participants, and members of the general public with disabilities, access to, and use of, information and data that is comparable to the access and use by individuals without disabilities.

The State of Oklahoma's Information Technology (IT) Accessibility Standards provide direction for complying with Oklahoma law regarding electronic and information technology accessibility. The law requires state agencies to make information technologies accessible to individuals with disabilities and was adopted to:

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**/S/ J. Michael Patterson  
Executive Director**

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- 1) Reduce information technology barriers
- 2) Provide new opportunities for individuals with disabilities
- 3) Encourage the development of new technologies to adhere to these goals

Section 508 requirements are separate from, but complementary to, requirements in Section 504. Section 508 requires Federal and State Agencies to ensure that their procurement of EIT takes into account the needs of all end users including people with disabilities:

- 1) Federal and State employees with disabilities to have access to, and use of, information and data that is comparable to that of Federal and State employees who are not individuals with disabilities, unless an undue burden would be imposed on the agency
- 2) Individuals with disabilities who are members of the public seeking information or services from a Federal or State agency are to have access to, and use of, information and data that is comparable to that provided to the public who are not individuals with disabilities.

The Architectural and Transportation Barriers Compliance Board (or Access Board) was charged with developing technical and functional provisions to establish a minimum level of accessibility. These technology-specific provisions address:

- 1) software applications and operating systems
- 2) web-based information or applications
- 3) telecommunications product
- 4) video or multi-media product
- 5) self-contained, closed products such as information kiosks and transaction machines
- 6) desktop and portable computer

The General Services Administration (GSA) maintains a website devoted to Section 508 at <http://www.section508.gov>. In addition, the Access Board provides information about the law and its standards at <http://www.access-board.gov/508.htm>.

## **ROLES AND RESPONSIBILITIES**

**Employee** – Any employee or group of employees, that believe that the Department has

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failed to comply with Section 508 of the Rehabilitation Act of 1973, may file a complaint with the Department.

**Compliance Representatives** – Agencies shall designate an accessibility compliance representative(s) responsible for ensuring compliance to Oklahoma law for electronic and information technology accessibility and the related information technology accessibility standards. The designated representatives for the Department are as follows:

ADA/504/508 Coordinator  
 Website Administrator  
 IT Steering Committee

**ADA/504/508 LIAISONS** - Each division (if applicable) is required to assign an ADA/504/508 Liaison that is responsible for assisting the ADA/504/508 Coordinator to ensure non-discrimination at all levels, programs, and activities within their area(s). ADA/504/508 Liaisons assist in identifying and eliminating discrimination. Please contact the ADA Coordinator for a listing of all ADA Liaisons for the Department.

## **IMPLEMENTATION**

In the event an individual believes that the Department has failed to comply with Section 508 of the Rehabilitation Act of 1973, the individual or group of individuals may file a complaint. The process for filing a Section 508 Complaint is as follows:

- 1) A written complaint should be filed using the Department’s Section 508 complaint form (Form 508-01). Copies of this form may be printed from the Department website or a copy may be obtained by contacting the ADA/504/508 Coordinator
- 2) Upon receipt of a complaint, the ADA/504/508 Coordinator will review the complaint to determine whether the technology listed in the complaint is subject to the IT accessibility standards
- 3) The Coordinator will then send a written notice to the complainant within ten (10) business days, excluding holidays, from the receipt of the written complaint, which will include:

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- a) a statement indicating whether the technology in question is or is not subject to the IT Accessibility Standards
  - b) a statement that the agency will conduct a review to confirm whether the technology in question is non-compliant, if the technology in question has been determined to be subject to the IT Accessibility Standards
  - c) a copy of these complaint procedures
- 4) The Coordinator will conduct a review within thirty (30) days from the receipt of the written complaint to determine whether the technology in question is noncompliant. Department IT Steering Committee and the Web Administrator may assist the review, if necessary. Upon completion of the review the Department will provide a written decision to the complainant

In the event that the complainant is not satisfied with the final complaint response issued by an agency, an appeal can be filed with the Information Services Director of Office of State Finance (OSF).

## **APPEAL PROCESS**

If a complainant is not satisfied with the final complaint response issued by the agency, a complaint may be refilled with the Information Services Director of the Office of State Finance (OSF).

Office of State Finance  
Attn: Information Services Director  
2300 N. Lincoln Blvd., Room 122  
Oklahoma City, OK. 73105  
Phone: 405-521-2141  
Fax: 405-521-3902

## **RETALIATION OR COERCION**

No private or public entity shall discriminate against any individual because that individual has opposed any act or practice made unlawful or because that individual made a charge, testified,

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assisted or participated in any manner, in an investigation, proceeding or hearing under the Act.

No private or public entity shall coerce, intimidate, threaten or interfere with any individual in the exercise or enjoyment of, or because of his/her having exercised or enjoyed, or because of his/her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by the Act.

## **NOTICES**

As part of the Department's regulatory responsibilities under the ADA, the Department must ensure that no qualified individual with a disability shall, on the basis of a disability, be excluded from participation in, or be denied the benefits of, any program, service or activity administered by the Department, including employment practices. Therefore, any publication available to employees and to the public shall include the following statement:

*The Department ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the Department, its recipients, sub-recipients, and contractors.*

Additional language must be added in the case of reasonable accommodation:

*In compliance with the Americans with Disabilities Act, the Oklahoma Department of Transportation will provide reasonable accommodations for persons with disabilities, upon request. To request an accommodation, please contact the ADA/504/508 Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353, no later than 72 hours before any scheduled event.*

To ensure all applicants are aware that the Department does not discriminate in employment practices, the Department must include the below language in all department vacancy announcements:

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Section 508 of the Rehabilitation Act of 1990

*The Oklahoma Department of Transportation (The Department) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities including all employment practices. To request an accommodation, please contact the ADA/504/508 Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353.*

## REFERENCES

Office of Management and Enterprise Services Information and Technology Accessibility Standards

<http://www.ok.gov/OSF/Accessibility.html>

State of Oklahoma Section 508 Policy

<http://www.ok.gov/accessibility/>

FAQ's:

<http://www.ok.gov/accessibility/FAQ/index.html>

U.S. Department of Justice Accessibility of State and Local Government Websites to People with Disabilities

<http://www.ada.gov/websites2.htm>

Oklahoma ABLE Tech

<http://www.ok.gov/abletech/AccessBoard>

WebAIM (Web Accessibility in Mind)

<http://webaim.org/>

Technical Assistance Document for Oklahoma's Web-based intranet and internet information and applications

<http://www.ok.gov/accessibility/documents/TADpdfjan06.pdf>

Disability and Business Technical Assistance Centers (DBTAC)

[www.adata.org](http://www.adata.org)

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**POLICY**

**THE DEPARTMENT OF TRANSPORTATION, A.K.A THE DEPARTMENT, IS COMMITTED TO THE PRINCIPLES OF “THE AMERICANS WITH DISABILITIES ACT OF 1990” AND “SECTION 504 OF THE REHABILITATION ACT OF 1973.” IN ACCORDANCE WITH THE REQUIREMENTS OF THE ADA AND THE CODE OF FEDERAL REGULATIONS, THE DEPARTMENT WILL NOT AND DOES NOT DISCRIMINATE AGAINST QUALIFIED INDIVIDUALS WITH DISABILITIES IN ANY ODOT PROGRAMS, SERVICES, ACTIVITIES OR EMPLOYMENT PRACTICES.**

**DEFINITIONS**

**Americans with Disabilities Act of 1990 (ADA)** - Public Law 101-336, a law that prohibits discrimination based on a disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. This law was enacted by the U.S. Congress in 1990. It was signed into law on July 26, 1990, by President George H. W. Bush and later amended with changes effective January 1, 2009. On September 25, 2008, President George W. Bush signed into law the ADA Amendments Act of 2008 (ADAAA).

**The Americans with Disabilities Act Accessibility Guidelines (ADAAG)** – Document that contains scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990. These scoping and technical requirements are to be applied during the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA to the extent required by regulations issued by Federal agencies, including the Department of Justice and the Department of Transportation, under the ADA.

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**The Code of Federal Regulations (CFR)** - Codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to Federal regulation. The 50 subject matter titles contain one or more individual volumes which are updated once each calendar year on a staggered basis. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts that cover specific regulatory areas. Large parts may be subdivided into subparts. All parts are organized in sections, and most citations to the CFR refer to material at the section level.

**Disability** – A physical or mental impairment that substantially limits one or more of the person’s major life activities, a record of such impairment or being regarded as having such and impairment.

**Essential Functions** - Fundamental job duties of a position. A particular function would be essential, for example, because the reason the position exists is to perform that function; or there are a limited number of employees among whom that function can be distributed; or the function is specialized to his or her ability.

**The Federal Highway Administration (FHWA)** - An agency within the U.S. Department of Transportation that supports state and local governments in the design, construction, and maintenance of the nation’s highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands Highway Program). Through financial and technical assistance to state and local governments, the Federal Highway Administration is responsible for ensuring that America’s roads and highways continue to be among the safest and most technologically sound in the world.

**The Federal Transit Administration (FTA)** – The Federal Transit Administration (FTA) is an agency within the United States Department of Transportation (DOT) that provides financial and technical assistance to local public transit systems. The FTA is one of ten modal administrations within the DOT and headed by an Administrator who is appointed by the President of the United States. The FTA functions through a Washington, D.C. headquarters office and ten regional offices which assist transit agencies in all states, the District of Columbia and the territories. Until 1991, it was known as the Urban Mass Transportation Administration (UMTA).

Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, and people movers. The federal government, through

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the FTA, provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. The FTA oversees grants to state and local transit providers, primarily through its ten regional offices. These grantees are responsible for managing their programs in accordance with federal requirements and the FTA is responsible for ensuring that grantees follow federal mandates along with statutory and administrative requirements.

**Major Life Activities** - Functions such as walking, seeing, hearing, breathing, caring for oneself, performing manual tasks, sitting, standing, lifting, learning, and thinking.

**The Oklahoma Department of Transportation (ODOT A.K.A the Department)** - An agency of the government of Oklahoma responsible for the construction, maintenance, and regulation of the use of the state's transportation infrastructure. The Department is the primary infrastructure, construction, and maintenance agency of the state along with the Oklahoma Turnpike Authority.

**Physical or Mental Impairment** - Covers physiological disorder and/or mental or psychological disorder. Examples of impairments include, but is not limited to: physiological disorder and/or mental or psychological disorder, contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

**The Public Rights-of-Way Guidelines (PROWAG)** - Accessibility guidelines proposed by the Architectural and Transportation Barriers Compliance Board. These guidelines will cover the design, construction, and alteration of pedestrian facilities in the public right-of-way. The guidelines ensure that sidewalks, pedestrian street crossings, pedestrian signals, and other facilities for pedestrian circulation and use, constructed or altered in the public right-of-way by state and local governments, are readily accessible to, and usable by, pedestrians with disabilities. Compliance with the accessibility standards is mandatory when the guidelines are adopted, with or without additions and modifications, as accessibility standards in regulations issued by other federal agencies implementing the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Architectural Barriers Act.

**Qualified Person with a Disability** - A person that has a disability and is qualified to perform the essential functions of the job either with or without a reasonable accommodation.

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**Reasonable Accommodations** - Any changes in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. There are three categories of reasonable accommodations:

- 1) Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position they desires
- 2) Modifications or adjustments to the work environment or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position
- 3) Modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.

**Record of Such Impairment** - Someone who may have a history of, or has been misclassified as, having a mental or physical impairment that substantially limits one or more major life activities.

**Regarded as Having an Impairment** - Being treated as having an impairment.

**Section 504 of the Rehabilitation Act of 1973** - Protects qualified individuals from discrimination based on their disability. Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

**Section 508 of the Rehabilitation Act of 1973** - Requires access to electronic and information technology. The law applies when developing, procuring, maintaining, or using electronic and information technology. State agencies must ensure that this technology is accessible to employees and members of the public with disabilities to the extent it does not pose an "undue burden." Section 508 speaks to various means for disseminating information, including computers, software and electronic office equipment. Section 508 is not a federal requirement. However, the State of Oklahoma adopted and signed Section 508 into law in 2004.

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Americans with Disability Act Title II & Section 504

**Service Animal** - An animal that performs a task or tasks for a person with a disability in order to help overcome limitations resulting from that disability. Federal law defines service animal as “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability” (Department of Justice-ADA Title II and III)

Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

**Social / Therapy Animals** – Has no legal definition. They often are animals that did not complete service animal or service dog training due to health, disposition, trainability, or other factors, and are made available as pets for people who have disabilities. These animals might or might not meet the definition of service animals.

**Therapy Animals** - Not legally defined by federal law but some states have laws defining therapy animals. They provide people with contact to animals, but are not limited to working with people who have disabilities. They are usually the personal pets of their handlers, and work with their handlers to provide services to others. Federal laws have no provisions for people to be accompanied by therapy animals in places of public accommodation that have "no pets" policies. Therapy animals usually are not service animals.

**Undue Hardship** - Refers not only to financial difficulty, but to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the business. An employer must assess on a case-by-case basis whether a particular reasonable accommodation would cause undue hardship.

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## AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act of 1990 (ADA) was established to provide a comprehensive national mandate for the elimination of discrimination against individuals with disabilities. The goal is to optimize the accessibility of the Department's facilities, programs and services, to provide safe and usable pedestrian facilities, and to ensure compliance with all federal, state and local regulations and standards.

Title II of the ADA (Public Law 101-336), this law prohibits discrimination on the basis of disability in State and local government services regardless of whether the public entity received Federal financial assistance. Under Title II, all public entities must comply with this regulation to the maximum extent feasible. This includes any State and local government, as well as any department, agency, special purpose district, or other instrumentality of the State or local government.

"No qualified individual with a disability shall, on the basis of a disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity." (28 CFR Part 35)

## SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 is a component of the Rehabilitation Act of 1973 (Public Law 93-112) which prohibits discrimination on the basis of disability in programs, activities and services that receive Federal financial assistance. Under Section 504, any recipient of federal financial assistance must comply with this regulation.

"No qualified handicapped person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance administered by the Department of Transportation." (49 CFR Part 27)

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## SERVICE ANIMALS

Starting on March 15, 2011, only dogs are recognized as service animals under Titles II and III of the ADA. Regulations define service animal as “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability.”

Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks.

The ADA does not require that the service animal owner carry any certification papers showing that the animal is a service animal. To determine if an animal is a service animal, a public entity may ask two questions:

- 1) Is this animal required because of a disability?
- 2) What work or task has this animal been trained to perform?

These inquiries may not be made if the need for the service animal is obvious (e.g., the dog is guiding an individual who is blind or is pulling a person’s wheelchair.) A public entity may not ask about the nature or extent of an individual’s disability. It also may not require documentation, such as proof that the animal has been certified, trained or licensed as a service animal, or require the animal to wear an identifying vest.

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of public facilities and private businesses where members of the public, program participants, clients, customers, patrons, or invitees are allowed.

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Federal Regulations  
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A public entity may ask an individual with a disability to remove a service animal from the premises if the animal is not housebroken or if the animal is out of control and the individual does not take effective action to control it.

An individual shall use a harness, leash or other tether with their service animal unless either the individual is unable to do so because of a disability or unless the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks. In these cases, the service animal must be under the individual's control through voice control, signals, or other effective means. If a service animal is excluded, the individual with a disability must still be offered the opportunity to obtain goods, services, and accommodations without having the service animal on the premises.

In addition to the provisions about service dogs, the Department of Justice revised the ADA regulations on a new, separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. The regulations set out four assessment factors to assist entities in determining whether a miniature horse can be accommodated in their facility. The four factors are:

- 1) Whether the miniature horse is housebroken
- 2) Whether the horse is under the owner's control
- 3) Whether the facility can accommodate the miniature horse's type, size and weight and
- 4) Whether the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility

## Service Animal Etiquette

- 1) Speak to the person, not the animal
- 2) Do not touch the service animal without asking for, and receiving, permission
- 3) Do not offer food to the service animal
- 4) Do not ask questions about the handler's disability, or otherwise intrude on his or her privacy
- 5) Do not be offended if the owner does not wish to chat about the service animal

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

**No. B-306-10**

SUBJECT:

**AMERICANS WITH DISABILITY ACT-TITLE II &  
SECTION 504**

PAGE NO: Page 9 of 15  
DATED: 09-01-2015

EFFECTIVE DATE

09/01/2015

ISSUED BY:

**Director - Finance & Administration  
Civil Rights Division**

APPROVED

**/S/ J. Michael Patterson  
Executive Director**

New Policy

POLICY NO.

DATED

REFERENCE

Federal Regulations  
Americans with Disability Act Title II & Section 504

## ROLES AND RESPONSIBILITIES

**Employee / Supervisors** – Every individual that is employed with the Oklahoma Department of Transportation is obligated under the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. These obligations must ensure non-discrimination at all levels in all programs, services and activities within all divisions of the Department.

**ADA/504/508 Coordinator** - Has overall responsibility for the Department ADA/504/508 program. This includes creating and implementing policies and procedures for the program; conduct investigations; providing guidance, assistance and oversight of the program for employees, non-employees, recipients, stakeholders, etc.

**ADA/504/508 Liaison** - Each division (if applicable) is required to assign an ADA/504/508 Liaison that is responsible for assisting the Coordinator and ensuring non-discrimination at all levels, programs, and activities within their area(s). ADA/504/508 Liaisons assist in identifying and eliminating discrimination. Please contact the ADA Coordinator for a listing of all ADA Liaisons for the Department.

**Public Entities** – Under Title II of the ADA, all public entities must comply with the Americans with Disabilities Act of 1990. This includes any State and local government, as well as any department, agency, special purpose district, or other instrumentality of a State or local government.

**Recipients / Sub-Recipients** – Under Section 504, any recipient of federal financial assistance must comply with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act. This includes taking steps to ensure compliance with the Code of Federal Regulations. Recipient / Sub-Recipient obligations include:

- 1) Notify public of obligations under ADA and Section 504.
- 2) Designate an ADA/504 Coordinator.
- 3) Develop and implement policies/procedures for ADA and Section 504.
- 4) Evaluate current services, policies and practices for accessibility.
- 5) Develop and implement a transition plan. (For recipients and public entities with responsibilities over roads, highways and pedestrian facilities, the transition plan must include a curb ramp installation schedule)
- 6) Provide written assurances that the program or activity will conduct or the facility

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

**No. B-306-10**

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**AMERICANS WITH DISABILITY ACT-TITLE II &  
SECTION 504**

PAGE NO: Page 10 of 15  
DATED: 09-01-2015

EFFECTIVE DATE

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ISSUED BY:

**Director - Finance & Administration  
Civil Rights Division**

APPROVED

**/S/ J. Michael Patterson  
Executive Director**

New Policy

POLICY NO.

DATED

REFERENCE

Federal Regulations  
Americans with Disability Act Title II & Section 504

operated in compliance with all of the requirements.

- 7) Conduct programs, services and activities in accessible facilities or provide alternative means of accessibility.
- 8) New and altered buildings and facilities must be made accessible in accordance with accessibility guidelines and the Joint Technical Assistance Memo.
- 9) Provide effective communications through the use of auxiliary aids (sign language interpreters, large print or Braille text) to ensure that individuals with hearing, visual, sensory or cognitive impairments have access to programs, services and activities.

## **ACCESSIBILITY STANDARDS IMPLEMENTATION**

**ADA Accessibility Guidelines (ADAAG)** – All concerned personnel will utilize the most current version of the ADAAG as a guide and primary reference regarding compliance for all Department buildings and facilities.

**Public Rights-of-Way Guidelines (PROWAG)** – All concerned personnel will utilize the most current version of the PROWAG as a guide and primary reference regarding compliance for ODOT Public Rights-of-Way. The PROWAG is currently in draft form. The directive sent out on May 09, 2012, adopts the guidelines as existing. Once the PROWAG has been approved, the approved guidelines will automatically go into effect as the adopted final version.

**ADA Transition Plan** – All concerned personnel will utilize the most current version of ODOT's ADA Transition Plan. This plan shall be primary reference in regards to ADA compliance in all programs, services and activities. This plan must be kept current and up to date. Any changes in compliance for said programs, services and activities shall be reflected within the transition plan. Please contact the ADA Coordinator for updates and/or questions in regards to the ADA Transition Plan.

## **ASSURANCES**

As a federal recipient, the Department is required to provide a written assurance, as well as acquire assurances from our sub-recipients. This assurance states that as a federal recipient, all programs, services and activities will be conducted in compliance with all requirements.

Per 49 CFR Part 27.9, "Each application for Federal financial assistance to which this part applies, and each application to provide a facility, shall, as a condition to approval or extension of any Federal financial assistance pursuant to the application, contain, or

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

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EFFECTIVE DATE

09/01/2015

ISSUED BY:

**Director - Finance & Administration  
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Federal Regulations  
Americans with Disability Act Title II & Section 504

be accompanied by, written assurance that the program or activity will be conducted or the facility operated in compliance with all the requirements imposed by or pursuant to this part. An applicant may incorporate these assurances by reference in subsequent applications to the Department.”

Assurances from sub-recipients can be obtained by an annual submittal from the sub-recipient or may be obtained through the contracting process. For a copy of the written assurance, contact the ADA/504/508 Coordinator.

## **NON-DISCRIMINATION CLAUSE FOR ALL ODOT FEDERAL CONTRACTS**

The application of the ADA Non-Discrimination Assurances shall be applied to any and all ODOT sub-recipients. Thus, the assurance must be applied to all “funding agreements” that ODOT employs to pass Federal funds to other agencies, entities, or municipalities and not Contractors. For a copy of The Americans with Disabilities Act Non-Discrimination Clause, please see the ADA/504/508 Coordinator.

This includes processes for Joint Use Agreements. Prior to approving **any** sub-recipient agreement, the agreement and the contact information must be forwarded to the ADA/504/508 Coordinator. The Coordinator then must verify that the agreement has the proper non-discrimination language and that the entity has the required process in place. These processes include:

- 1) Designation of an ADA/504 Coordinator.
- 2) Notifying the public of obligations under ADA and Section 504.
- 3) Develop and implement policies/procedures for ADA and Section 504.
- 4) Evaluate current services, policies and practices for accessibility.
- 5) Develop and implement a transition plan. (For recipients and public entities with responsibilities over roads, highways and pedestrian facilities, the transition plan must include a curb ramp installation schedule)
- 6) Provide written assurances that the program or activity will conduct or the facility operated in compliance with all of the requirements.
- 7) Conduct programs, services and activities in accessible facilities or provide alternative means of accessibility.
- 8) New and altered buildings and facilities must be made accessible in accordance with accessibility guidelines and the Joint Technical Assistance Memo.

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

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- 9) Provide effective communications through the use of auxiliary aids (sign language interpreters, large print or Braille text) to ensure that individuals with hearing, visual, sensory or cognitive impairments have access to programs, services and activities.

## **SUB-RECIPIENT MONITORING**

As a direct recipient of Federal Funds, ODOT is obligated to provide guidance to its sub-recipients across the State of Oklahoma. This guidance shall be deemed as a good faith effort, which shall apply to all recipients' programs, services and activities that are funded by federal funds.

## **IMPLEMENTATION**

In the event an individual believes that the Department has failed to comply with ADA and Section 504 by not providing equivalent access to a Department service, program, or activity, that individual or group of individuals may file a complaint with the Department. The process for filing an ADA Title II Complaint will be as follows:

- 1) A written complaint should be filed within 180 calendar days of the alleged occurrence using the Department's ADA Complaint form (Form T2-504). Copies of this form may be printed from the Department's website or a copy may be obtained by contacting the ADA/504/508 Coordinator. Employees may also utilize the internal agency grievance procedure within 20 calendar days of the alleged occurrence.

***The use of these procedures does not prohibit an employee from filing a complaint or appeal with the Attorney General's Office, EEOC, Oklahoma Merit Protection Commission or any other authorized entity.***

- 2) The complaint will be reviewed within 10 calendars days of receipt to determine whether it contains all the necessary information required for acceptance.

If the complaint is complete and no additional information is needed, the complainant will be sent a letter of acceptance along with the *Complainant Consent/Release* form and the *Notice About Investigatory Uses of Personal Information* form.

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

**POLICY DIRECTIVE**

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Federal Regulations  
Americans with Disability Act Title II & Section 504

If the complaint is incomplete, the complainant will be contacted in writing, by telephone or by email to obtain the additional information. The complainant will be give 15 calendar days to respond to the request for additional information.

- 3) Within 90 calendar days of the receipt of the signed Complaint Form, the Department will investigate the complaint. An extension of up to 90 calendar days may be granted by ODOT for final resolution of time for good cause if both parties agree to such in a written form.
- 4) The Department will then provide a Letter of Findings (LOF) to the complainant and all involved parties. All investigations through the Civil Rights Division are confidential and copies will not be provided. However, the file can be viewed and notes taken by appointment only.
- 5) If the complainant disagrees with the result of the complaint, an appeal may be filed with the Oklahoma Merit Protection Commission.

Oklahoma Merit Protection Commission  
3545 NW 58<sup>th</sup> Street, Suite #360  
Oklahoma City, OK. 73112  
Voice: 405-525-9144  
Fax: 405-528-6245  
Email: [www.ok.gov/okmpc](http://www.ok.gov/okmpc)

## **RETALIATION OR COERCION**

No private or public entity shall discriminate against any individual because that individual has opposed any act or practice made unlawful or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the Act.

No private or public entity shall coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by the Act.

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## NOTICES

As part of the Department's regulatory responsibilities under the ADA, the Department must ensure that no qualified individual with a disability shall, on the basis of a disability, be excluded from participation in or be denied the benefits of any program, service or activity administered by the Department, including employment practices. Therefore, any publication available to employees and to the public shall include the following statement:

*The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.*

Additional language must be added in the case of reasonable accommodation:

*In compliance with the Americans with Disabilities Act, the Oklahoma Department of Transportation will provide reasonable accommodations for persons with disabilities, upon request. To request an accommodation, please contact the ADA/504/508 Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353, no later than 72 hours before any scheduled event.*

To ensure all applicants are aware that the Department does not discriminate in employment practices, the Department must include the below language in all department vacancy announcements:

*The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities including all employment practices. To request an accommodation, please contact the ADA/504/508 Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353.*

# OKLAHOMA DEPARTMENT OF TRANSPORTATION

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Americans with Disability Act Title II & Section 504

## REFERENCES

ADA Accessibility Guidelines (ADAAG)

<http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/background/adaag>

United States Access Board Guide to the ABA Standards

<http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/guide-to-the-aba-standards>

Public Rights-of-Way Guidelines (PROWAG)

<http://www.access-board.gov/prowag/>

ODOT Roadway Design Standards

<http://www.okladot.state.ok.us/roadway/index.htm>

Federal Highway Administration – Civil Rights Division

<http://www.fhwa.dot.gov/civilrights/>

FHWA Accessibility Library

<http://www.fhwa.dot.gov/accessibility/>

FHWA Questions and Answers About ADA/Section 504

[http://www.fhwa.dot.gov/civilrights/programs/ada\\_sect504qa.cfm](http://www.fhwa.dot.gov/civilrights/programs/ada_sect504qa.cfm)

Project Civic Access

<http://www.ada.gov/civicac.htm>

Americans With Disabilities Act Home Page

<http://www.ada.gov/>

U.S. Department of Justice

<http://www.justice.gov/>

U.S. Equal Employment Opportunity Commission

<http://www.eeoc.gov/laws/types/disability.cfm>

Disability.gov

<https://www.disability.gov/>

Federal Transit Administration

<http://www.fta.dot.gov/civilrights/12325.html>

Doing Business with the ODOT Civil Rights Division (Internet)

[http://ok.gov/odot/Doing\\_Business/Civil\\_Rights/index.html](http://ok.gov/odot/Doing_Business/Civil_Rights/index.html)

Disability and Business Technical Assistance Centers (DBTAC)

[www.adata.org](http://www.adata.org)



# **Statistical Information**



# **Three-Year Evaluation of Previous EEO Efforts**

Evaluation of Previous EEO Efforts  
(New Hires: As of June 30, 2015)

		Total New Hires	White	Black	Hispanic	AS/PI	AI/AN	Total Min	Male	Female
Summary										
New Hires FY 2013	Number	271	216	14	14	4	23	55	227	44
New Hires FY 2014	Number	198	160	8	8	1	21	38	158	40
New Hires FY 2015	Number	227	185	13	4	2	23	42	177	50
Total Number for Three Year Period	Number	<b>696</b>	<b>561</b>	<b>35</b>	<b>26</b>	<b>7</b>	<b>67</b>	<b>135</b>	<b>562</b>	<b>134</b>
Total Percent for Three Year Period	Percent		80.60%	5.03%	3.74%	1.01%	9.63%	19.40%	80.75%	19.25%
Total Percent for Current Year	Percent		81.50%	5.73%	1.76%	0.88%	10.13%	18.50%	77.97%	22.03%



# **Job Group Analysis**

## Job Group Analysis

Agency Name and Code: Oklahoma Department of Transportation 345

Date: As of June 30, 2015

EEO Category: Administrative Support

Salary or Pay Band	Job Family Title	Job Code	TOTAL EMP	MALE					TOTAL MALE	FEMALE					TOTAL FEMALE	TOTAL MIN
				WHITE	BLACK	HISP	AS/PI	AI/AN		WHITE	BLACK	HISP	AS/PI	AI/AN		
10	Admin Assistant to the Director	4792	1	0	0	0	0	0	0	1	0	0	0	0	1	1
H	Administrative Assistant	E17A	22	0	0	0	0	0	0	19	2	0	1	0	22	22
I	Administrative Assistant	E17B	106	3	0	0	0	1	4	82	5	3	0	12	102	103
E	Administrative Technician	E16B	4	0	0	0	0	0	0	3	0	0	0	1	4	4
F	Administrative Technician	E16C	2	0	0	0	0	0	0	2	0	0	0	0	2	2
G	Administrative Technician	E24B	1	0	0	0	0	0	0	1	0	0	0	0	1	1
NA	Exec. Assist. to the Commission	5781	1	0	0	0	0	0	0	1	0	0	0	0	1	1
G	Legal Secretary	E25A	1	0	0	0	0	0	0	1	0	0	0	0	1	1
I	Legal Secretary	E25C	1	0	0	0	0	0	0	1	0	0	0	0	1	1
D	Material Management Spec.	F20A	1	0	0	0	0	0	0	1	0	0	0	0	1	1
E	Material Management Spec.	F20B	4	1	1	0	0	1	3	1	0	0	0	0	1	3
H	Secretary	E24C	1	0	0	0	0	0	0	1	0	0	0	0	1	1

## Job Group Analysis

Agency Name and Code: Oklahoma Department of Transportation 345

Date: As of June 30, 2015

EEO Category: Official Admin

Salary or Pay Band	Job Family Title	Job Code	TOTAL EMP	MALE					TOTAL MALE	FEMALE					TOTAL FEMALE	TOTAL MIN
				WHITE	BLACK	HISP	AS/PI	AI/AN		WHITE	BLACK	HISP	AS/PI	AI/AN		
O	Admin. Programs Officer	E12D	41	22	0	1	2	2	27	12	0	0	1	1	14	19
19	Assist. Dir., Fiscal and Programs	4553	1	1	0	0	0	0	1	0	0	0	0	0	0	0
19	Assist. Dir., Administration	7655	1	1	0	0	0	0	1	0	0	0	0	0	0	0
20	Assist. Dir., Operations	7653	1	1	0	0	0	0	1	0	0	0	0	0	0	0
20	Assist. Dir., Pre-Construction	6487	1	1	0	0	0	0	1	0	0	0	0	0	0	0
21	Chief Engineer (DOT)	5696	1	1	0	0	0	0	1	0	0	0	0	0	0	0
21	Deputy Director	4812	1	1	0	0	0	0	1	0	0	0	0	0	0	0
14	Deputy General Counsel, CRD	6161	1	0	0	0	0	0	0	1	0	0	0	0	1	1
16	Dir. Of Internal Audit (CPA)	9292	1	1	0	0	0	0	1	0	0	0	0	0	0	0
21	Director	4966	1	1	0	0	0	0	1	0	0	0	0	0	0	0
14	Director, Legal Services	4479	1	0	1	0	0	0	1	0	0	0	0	0	0	1
16	Division Engineer	7657	9	9	0	0	0	0	9	0	0	0	0	0	0	0
O	Engineering Manager	S12A	3	2	0	0	1	0	3	0	0	0	0	0	0	1
P	Engineering Manager	S12B	60	43	1	1	0	3	48	10	0	0	0	2	12	17
Q	Engineering Manager	S12C	26	22	1	2	0	0	25	0	0	0	1	0	1	4
R	Engineering Manager	S12D	8	5	1	0	1	0	7	1	0	0	0	0	1	3
N	Financial Manager/Comptroller	D33A	1	0	0	0	0	0	0	1	0	0	0	0	1	1
O	Financial Manager/Comptroller	D33C	3	1	1	0	0	0	2	1	0	0	0	0	1	2
Q	Financial Manager/Comptroller	D33D	1	0	0	0	0	0	0	1	0	0	0	0	1	1
Q	HR Program Director	C33B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
O	HR Programs Manager	C32C	3	2	0	0	0	0	2	1	0	0	0	0	1	1
P	Land Surveyor Manager	S17B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
Q	Land Surveyor Manager	S17C	1	1	0	0	0	0	1	0	0	0	0	0	0	0
N	Programs Manager	H10B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
14	Tort Litigation Administrator	6165	1	1	0	0	0	0	1	0	0	0	0	0	0	0
NA	Transportation Coordinator	8172	5	1	0	0	0	0	1	3	0	0	1	0	4	4
O	Transportation Manager	T23C	7	7	0	0	0	0	7	0	0	0	0	0	0	0
P	Transportation Manager	T23D	7	5	0	0	0	0	5	1	1	0	0	0	2	2

## Job Group Analysis

Agency Name and Code: Oklahoma Department of Transportation 345

Date: As of June 30, 2015

EEO Category: Professionals

Salary or Pay Band	Job Family Title	Job Code	TOTAL EMP	WHITE	BLACK	HISP	AS/PI	AI/AN	TOTAL MALE	WHITE	BLACK	HISP	AS/PI	AI/AN	TOTAL FEMALE	TOTAL MIN
I	Accountant	D14A	6	0	0	0	0	0	0	6	0	0	0	0	6	6
J	Accountant	D14B	24	2	2	0	0	1	5	17	0	0	1	1	19	22
K	Accountant	D14C	4	2	0	0	0	0	2	0	2	0	0	0	2	2
L	Accountant	D14D	10	3	2	0	0	0	5	4	1	0	0	0	5	7
J	Admin. Programs Officer	E12A	14	0	0	0	0	0	0	10	1	0	1	2	14	14
L	Admin. Programs Officer	E12B	13	2	0	0	0	0	2	9	1	0	0	1	11	11
M	Admin. Programs Officer	E12C	24	5	0	0	0	0	5	16	2	1	0	0	19	19
16	Attorney	9145	2	1	0	0	0	1	2	0	0	0	0	0	0	1
12	Attorney III	1615	1	0	0	0	0	0	0	1	0	0	0	0	1	1
14	Attorney IV	1616	3	2	0	0	0	0	2	1	0	0	0	0	1	1
J	Auditor	D12B	4	3	0	0	0	1	4	0	0	0	0	0	0	1
K	Auditor	D12C	1	0	1	0	0	0	1	0	0	0	0	0	0	1
N	Civil Rights Administrator	C10B	1	0	0	0	0	0	0	1	0	0	0	0	1	1
H	Cont. & Acq. Agent	F14A	1	0	0	0	0	0	0	1	0	0	0	0	1	1
I	Cont. & Acq. Agent	F14B	6	0	0	0	0	0	0	6	0	0	0	0	6	6
J	Cont. & Acq. Agent	F14C	1	0	0	0	1	0	1	0	0	0	0	0	0	1
07	Co-op Engineer Trainee III	6168	15	7	0	0	0	1	8	5	1	0	0	1	7	8
09	Co-op Engineer Trainee XII	6164	21	10	3	1	1	3	18	1	1	0	1	0	3	11
J	Engineer Intern	S10B	1	0	1	0	0	0	1	0	0	0	0	0	0	1
K	Engineer Intern	S10C	6	3	0	0	0	1	4	1	0	0	0	1	2	3
L	Engineer Intern	S10D	1	0	0	0	0	0	0	1	0	0	0	0	1	1
M	Engineer Intern	S10E	6	3	0	2	0	0	5	1	0	0	0	0	1	3
K	Environ./Chem. Lab Scientist	R10B	2	2	0	0	0	0	2	0	0	0	0	0	0	0
M	Environ./Chem. Lab Scientist	R10D	1	0	0	0	0	0	0	1	0	0	0	0	1	1
N	Environ. Programs Manager	R25A	4	1	0	0	0	0	1	3	0	0	0	0	3	3
O	Environ. Programs Manager	R25B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
K	Environ. Programs Specialist	R20C	2	1	0	0	0	0	1	1	0	0	0	0	1	1
20	General Counsel	1347	1	1	0	0	0	0	1	0	0	0	0	0	0	0

## Job Group Analysis

Agency Name and Code: Oklahoma Department of Transportation 345

Date: As of June 30, 2015

EEO Category: Professionals (Continued)

Salary or Pay Band	Job Family Title	Job Code	TOTAL EMP	WHITE	BLACK	HISP	AS/PI	AI/AN	TOTAL MALE	WHITE	BLACK	HISP	AS/PI	AI/AN	TOTAL FEMALE	TOTAL MIN
M	GIS Manager	B26A	3	3	0	0	0	0	3	0	0	0	0	0	0	0
J	GIS Specialist	B25B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
H	GIS Technician	B24C	1	1	0	0	0	0	1	0	0	0	0	0	0	0
J	Human Resources Mgmt. Spec.	C31B	7	0	0	0	0	0	0	6	1	0	0	0	7	7
K	Human Resources Mgmt. Spec.	C31C	3	0	0	0	0	0	0	2	1	0	0	0	3	3
L	Human Resources Mgmt. Spec.	C31D	3	0	0	0	0	0	0	3	0	0	0	0	3	3
N	Human Resources Prog. Mgr.	C32B	2	1	0	0	0	0	1	0	1	0	0	0	1	1
O	Land Surveyor Manager	S17A	3	3	0	0	0	0	3	0	0	0	0	0	0	0
I	Material Management Officer	F21B	8	3	0	0	0	0	3	4	0	0	0	1	5	5
M	Professional Engineer	S11A	9	6	1	0	0	0	7	1	1	0	0	0	2	3
N	Professional Engineer	S11B	15	7	1	2	2	0	12	2	1	0	0	0	3	8
O	Professional Engineer	S11C	7	5	0	0	0	1	6	1	0	0	0	0	1	2
N	Professional Land Surveyor	S16B	11	10	0	0	0	1	11	0	0	0	0	0	0	1
14	Project Manager	0765	4	4	0	0	0	0	4	0	0	0	0	0	0	0
M	Public Information Manager	E45B	4	0	0	0	0	0	0	4	0	0	0	0	4	4
I	Public Information Officer	E44A	1	1	0	0	0	0	1	0	0	0	0	0	0	0
J	Public Information Officer	E44B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
I	Safety Consultant	J31A	1	1	0	0	0	0	1	0	0	0	0	0	0	0
K	Safety Consultant	J31C	1	1	0	0	0	0	1	0	0	0	0	0	0	0
M	Transportation Manager	T23A	51	41	0	0	0	3	44	6	0	0	0	1	7	10
N	Transportation Manager	T23B	45	36	2	1	0	2	41	3	0	0	0	1	4	9
F	Transportation Specialist	T22A	30	22	1	2	0	2	27	2	0	0	0	1	3	8
G	Transportation Specialist	T22B	75	48	2	3	2	5	60	10	0	3	0	2	15	27
H	Transportation Specialist	T22C	77	49	3	5	0	6	63	12	0	1	0	1	14	28
J	Transportation Specialist	T22D	166	116	6	4	3	22	151	14	0	0	0	1	15	50
K	Transportation Specialist	T22E	125	90	3	3	0	10	106	16	0	0	0	3	19	35
L	Transportation Specialist	T22F	18	14	0	1	0	0	15	2	0	0	0	1	3	4
J	Video Production Specialist	C42B	3	3	0	0	0	0	3	0	0	0	0	0	0	0
L	Video Production Specialist	C42D	1	1	0	0	0	0	1	0	0	0	0	0	0	0

## Job Group Analysis

Agency Name and Code: Oklahoma Department of Transportation 345

Date: As of June 30, 2015

EEO Category: Service Maintenance

Salary or Pay Band	Job Family Title	Job Code	TOTAL EMP	MALE					TOTAL MALE	FEMALE					TOTAL FEMALE	TOTAL MIN
				WHITE	BLACK	HISP	AS/PI	AI/AN		WHITE	BLACK	HISP	AS/PI	AI/AN		
K	Const./Maint. Administrator	F45A	1	1	0	0	0	0	1	0	0	0	0	0	0	0
L	Const./Maint. Administrator	F45B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
E	Highway Sign Technician	T27A	2	1	1	0	0	0	2	0	0	0	0	0	0	1
F	Highway Sign Technician	T27B	3	2	1	0	0	0	3	0	0	0	0	0	0	1
E	Transportation Equip. Operator	T25A	83	58	4	3	0	15	80	3	0	0	0	0	3	25
F	Transportation Equip. Operator	T25B	156	123	3	5	0	21	152	2	0	0	0	2	4	33
G	Transportation Equip. Operator	T25C	387	299	13	17	2	46	377	10	0	0	0	0	10	86
H	Transportation Equip. Operator	T25D	91	73	1	5	0	8	87	4	0	0	0	0	4	18
J	Transportation Superintendent	T26A	99	82	2	2	0	11	97	2	0	0	0	0	2	17

## Job Group Analysis

Agency Name and Code: Oklahoma Department of Transportation 345

Date: As of June 30, 2015

EEO Category: Skilled Craft Workers

Salary or Pay Band	Job Family Title	Job Code	TOTAL EMP	MALE					TOTAL MALE	FEMALE					TOTAL FEMALE	TOTAL MIN
				WHITE	BLACK	HISP	AS/PI	AI/AN		WHITE	BLACK	HISP	AS/PI	AI/AN		
H	Bindery Worker	E33C	1	0	0	0	0	0	0	0	1	0	0	0	1	1
01	Commissioner Division 1-8	9903	8	8	0	0	0	0	8	0	0	0	0	0	0	0
G	Const./Maint. Technician	F41B	9	8	0	0	0	0	8	1	0	0	0	0	1	1
F	Equipment Operator	F78B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
G	Fleet Specialist	F47B	6	6	0	0	0	0	6	0	0	0	0	0	0	0
H	Fleet Specialist	F47C	32	26	1	1	2	2	32	0	0	0	0	0	0	6
I	Fleet Specialist	F47D	7	6	0	0	0	1	7	0	0	0	0	0	0	1
K	Fleet Specialist	F47E	9	8	0	0	0	1	9	0	0	0	0	0	0	1
K	GIS Specialist	B25C	2	1	0	0	1	0	2	0	0	0	0	0	0	1
G	Offset Press Operator	E34B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
L	Reproduction Services Mgr.	E37A	1	0	0	0	0	0	0	1	0	0	0	0	1	1
G	Welder	F48B	3	3	0	0	0	0	3	0	0	0	0	0	0	0
I	Welder	F48C	8	7	0	0	0	1	8	0	0	0	0	0	0	1

## Job Group Analysis

Agency Name and Code: Oklahoma Department of Transportation 345

Date: As of June 30, 2015

EEO Category: Technicians

Salary or Pay Band	Job Family Title	Job Code	TOTAL EMP	MALE					TOTAL MALE	FEMALE					TOTAL FEMALE	TOTAL MIN
				WHITE	BLACK	HISP	AS/PI	AI/AN		WHITE	BLACK	HISP	AS/PI	AI/AN		
F	CADD Specialist	T10A	15	7	1	1	0	0	9	4	2	0	0	0	6	8
G	CADD Specialist	T10B	13	7	1	0	0	0	8	4	0	0	0	1	5	6
I	CADD Specialist	T10C	20	8	0	2	1	3	14	4	0	0	1	1	6	12
J	CADD Specialist	T10D	21	14	1	1	2	0	18	3	0	0	0	0	3	7
K	CADD Specialist	T10E	31	22	4	0	1	0	27	4	0	0	0	0	4	9
M	CADD Specialist	T10F	19	10	1	0	1	3	15	2	1	0	0	1	4	9
I	Graphic Artist	E43B	1	0	0	0	0	0	0	1	0	0	0	0	1	1
K	Info Sys. Operating Sys. Spec.	B30A	1	1	0	0	0	0	1	0	0	0	0	0	0	0
L	Info Sys. Operating Sys. Spec.	B30B	1	1	0	0	0	0	1	0	0	0	0	0	0	0
F	Optical Imaging Specialist	E36B	3	3	0	0	0	0	3	0	0	0	0	0	0	0
H	Optical Imaging Specialist	E36C	1	0	0	0	0	0	0	0	0	1	0	0	1	1
K	Photogrammetrist	T60C	5	2	0	0	0	1	3	1	0	0	1	0	2	3
L	Photogrammetrist	T60D	1	0	0	0	0	0	0	1	0	0	0	0	1	1
H	Photographer	E50A	1	1	0	0	0	0	1	0	0	0	0	0	0	0
K	Transportation Superintendent	T26B	102	86	3	5	0	7	101	1	0	0	0	0	1	16



# **Availability Analysis & Parity Report by Division**



# **Division 1**

**Availability Analysis**

**EEO Category: Administrative Support**

**Field Division 1:** Muskogee, Oklahoma

**County Maintenance:** Adair, Cherokee, Haskell, McIntosh, Muskogee, Okmulgee, Sequoyah, and Wagoner

Factors	Raw Availability %							Weight Factor	Weighted Availability *							
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males	
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.00%	0.00%	0.00%	40.5%	40.5%	84.1%	15.9%	1.00%	0.00%	0.00%	0.00%	40.5%	40.5%	84.1%	15.9%	
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.																
*(Raw Availability % x Weight Factor = Weighted Availability)																
<b>Total</b>								1.00%	0.00%	0.00%	0.00%	40.5%	40.5%	84.1%	15.9%	
<b>Final Availability</b>									<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>40.5%</b>	<b>40.5%</b>	<b>84.1%</b>	<b>15.9%</b>	

*Note: Data collected from the EEO-CIT04R-Geography-Adair, Cherokee, Haskell, McIntosh, Muskogee, Okmulgee, Sequoyah, and Wagoner County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Service Maintenance**

**Field Division 1: Muskogee, Oklahoma**

**County Maintenance: Adair, Cherokee, Haskell, Mcintosh, Muskogee, Okmulgee, Sequoyah, and Wagoner**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0%	4.0%	0.3%	41.5%	45.85%	62.1%	37.9%	1.00%	0%	4.0%	0.3%	41.5%	45.85%	62.1%	37.9%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0%	4.0%	0.3%	41.5%	45.85%	62.1%	37.9%
<b>Final Availability</b>									<b>0%</b>	<b>4.0%</b>	<b>0.3%</b>	<b>41.5%</b>	<b>45.85%</b>	<b>62.1%</b>	<b>37.9%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Adair, Cherokee, Haskell, Mcintosh, Muskogee, Okmulgee, Sequoyah, and Wagoner County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Skilled Craft Workers**

**Field Division 1: Muskogee, Oklahoma**

**County Maintenance: Adair, Cherokee, Haskell, McIntosh, Muskogee, Okmulgee, Sequoyah, and Wagoner**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0%	0.4%	0%	36.8%	37.2%	8.5%	91.0%	1.00%	0%	0.4%	0%	36.8%	37.2%	8.5%	91.0%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0%	0.4%	0%	36.8%	37.2%	8.5%	91.0%
<b>Final Availability</b>									0%	0.4%	0%	36.8%	37.2%	8.5%	91.0%

*Note: Data collected from the EEO-CIT04R-Geography-Adair, Cherokee, Haskell, McIntosh, Muskogee, Okmulgee, Sequoyah, and Wagoner County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Technician**

**Field Division 1: Muskogee, Oklahoma**

**County Maintenance: Adair, Cherokee, Haskell, McIntosh, Muskogee, Okmulgee, Sequoyah, and Wagoner**

Factors	Raw Availability %							Weight Factor	Weighted Availability *							
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males	
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0%	0%	1.2%	37.9%	39.1%	69.7%	30.3%	1.00%	0%	0%	1.2%	37.9%	39.1%	69.7%	30.3%	
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.																
*(Raw Availability % x Weight Factor = Weighted Availability)																
<b>Total</b>								1.00%	0%	0%	1.2%	37.9%	39.1%	69.7%	30.3%	
<b>Final Availability</b>									0%	0%	1.2%	37.9%	39.1%	69.7%	30.3%	

*Note: Data collected from the EEO-CIT04R-Geography-Adair, Cherokee, Haskell, McIntosh, Muskogee, Okmulgee, Sequoyah, and Wagoner County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 1

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Admin Support</b>	<b>13</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>11</b>
% Represented		15.38%	0.00%	0.00%	0.00%	0.00%	61.54%	7.69%	0.00%	0.00%	15.38%	84.62%
% CLF		6.20%	0.00%	0.00%	0.00%	5.10%	37.90%	0.00%	0.00%	0.00%	35.40%	84.10%
Parity Reached		YES	N/A	N/A	N/A	N/A	YES	YES	N/A	N/A	NO	YES
Individuals Needed											2	
<b>Service Maintenance</b>	<b>113</b>	<b>76</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>31</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
% Represented		67.26%	1.77%	1.77%	0.88%	27.43%	0.88%	0.00%	0.00%	0.00%	0.00%	0.88%
% CLF		42.20%	0.00%	0.00%	0.00%	16.90%	2.70%	0.00%	4.00%	0.30%	24.60%	62.10%
Parity Reached		YES	YES	YES	YES	YES	NO	N/A	NO	YES	NO	NO
Individuals Needed							2		4		28	69
<b>Skilled Craft Workers</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
% Represented		100%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
% CLF		42.20%	0.00%	0.40%	0.00%	30.50%	2.70%	0.00%	0.00%	0.00%	5.80%	8.50%
Parity Reached		YES	N/A	YES	N/A	NO	YES	N/A	N/A	N/A	YES	YES
Individuals Needed						2						

**FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 1 (continued)**

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Technician</b>	<b>23</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>
<b>% Represented</b>		73.91%	0.00%	0.00%	0.00%	17.39%	4.35%	0.00%	0.00%	0.00%	4.35%	8.70%
<b>% CLF</b>		16.70%	0.00%	0.00%	0.00%	15.20%	34.80%	0.00%	0.00%	1.20%	24.20%	69.70%
<b>Parity Reached</b>		YES	N/A	N/A	N/A	YES	NO	N/A	N/A	YES	NO	NO
<b>Individuals Needed</b>							<b>7</b>				<b>4</b>	<b>14</b>

*Notes: 1) the EEO-4 category of "Paraprofessionals" has been combined with the EEO-4 category of "Technicians". 2) The EEO-4 category of "Official Administrator" and "Professionals" was compared to census data at the statewide level and not by each division. 3) Figures may not total 100% due to rounding or additional information (such as the category two or more races) calculated by the census but not by ODOT. 4) When calculating data, 0.8 is equivalent to one whole person.*



## **Division 2**

**Availability Analysis**

**EEO Category: Administrative Support**

**Field Division 2: Antlers, Oklahoma**

**County Maintenance: Atoka, Bryan, Choctaw, Latimer, Le Flore, McCurtain, Marshall, Pittsburg, Pushmataha**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0%	0%	0%	5.4%	5.4%	80.5%	19.5%		0%	0%	0%	5.4%	5.4%	80.5%	19.5%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>									0%	0%	0%	5.4%	5.4%	80.5%	19.5%
<b>Final Availability</b>									<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>5.4%</b>	<b>5.4%</b>	<b>80.5%</b>	<b>19.5%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Atoka Bryan, Choctaw, Latimer, Le Flore, McCurtain, Marshall, Pittsburg, Pushmataha County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Service Maintenance**

**Field Division 2: Antlers, Oklahoma**

**County Maintenance: Atoka, Bryan, Choctaw, Latimer, Le Flore, McCurtain, Marshall, Pittsburg, Pushmataha**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	14.5%	1.1%	0.4%	15.1%	31.1%	79.9%	19.6%	1.00%	14.5%	1.1%	0.4%	15.1%	31.1%	79.9%	19.6%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>									14.5%	1.1%	0.4%	15.1%	31.1%	79.9%	19.6%
<b>Final Availability</b>									<b>14.5%</b>	<b>1.1%</b>	<b>0.4%</b>	<b>15.1%</b>	<b>31.1%</b>	<b>79.9%</b>	<b>19.6%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Atoka Bryan, Choctaw, Latimer, Le Flore, McCurtain, Marshall, Pittsburg, Pushmataha County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Skilled Craft Workers**

**Field Division 2: Antlers, Oklahoma**

**County Maintenance: Atoka, Bryan, Choctaw, Latimer, Le Flore, McCurtain, Marshall, Pittsburg, Pushmataha**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	2.3%	3.9%	0.00%	3.9%	10.1%	7.8%	93.0%	1.00%	2.3%	3.9%	0.00%	3.9%	10.1%	7.8%	93.0%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	2.3%	3.9%	0.00%	3.9%	10.1%	7.8%	93.0%
<b>Final Availability</b>									<b>2.3%</b>	<b>3.9%</b>	<b>0.00%</b>	<b>3.9%</b>	<b>10.1%</b>	<b>7.8%</b>	<b>93.0%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Atoka Bryan, Choctaw, Latimer, Le Flore, McCurtain, Marshall, Pittsburg, Pushmataha County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Technicians**

**Field Division 2: Antlers, Oklahoma**

**County Maintenance: Atoka, Bryan, Choctaw, Latimer, Le Flore, McCurtain, Marshall, Pittsburg, Pushmataha**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.00%	0.00%	0.00%	25.7%	25.7%	88.6%	11.4%	1.00%	0.00%	0.00%	0.00%	25.7%	25.7%	88.6%	11.4%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.00%	0.00%	0.00%	25.7%	25.7%	88.6%	11.4%
<b>Final Availability</b>									<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>25.7%</b>	<b>25.7%</b>	<b>88.6%</b>	<b>11.4%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Atoka Bryan, Choctaw, Latimer, Le Flore, McCurtain, Marshall, Pittsburg, Pushmataha County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 2

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Admin Support</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>14</b>
<b>% Represented</b>		0.00%	0.00%	0.00%	0.00%	0.00%	71.43%	0.00%	0.00%	0.00%	28.57%	100%
<b>% CLF</b>		19.50%	0.00%	0.00%	0.00%	0.50%	75.20%	0.00%	0.00%	0.00%	4.70%	80.50%
<b>Parity Reached</b>		NO	N/A	N/A	N/A	YES	YES	N/A	N/A	N/A	YES	YES
<b>Individuals Needed</b>		2										
<b>Service Maintenance</b>	<b>100</b>	<b>78</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>% Represented</b>		78.00%	2.00%	0.00%	0.00%	19.00%	1.00%	0.00%	0.00%	0.00%	0.00%	1.00%
<b>% CLF</b>		15.10%	0.40%	0.00%	0.40%	1.70%	39.10%	14.00%	1.10%	0.00%	13.40%	79.90%
<b>Parity Reached</b>		YES	YES	N/A	YES	YES	NO	NO	NO	N/A	NO	NO
<b>Individuals Needed</b>							<b>38</b>	<b>14</b>	<b>1</b>		<b>13</b>	<b>79</b>
<b>Skilled Craft Workers</b>	<b>11</b>	<b>9</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>% Represented</b>		81.82%	9.09%	0.00%	0.00%	9.09%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>% CLF</b>		80.60%	2.30%	3.90%	0.00%	3.90%	7.80%	0.00%	0.00%	0.00%	0.00%	7.80%
<b>Parity Reached</b>		YES	YES	YES	N/A	YES	NO	N/A	N/A	N/A	N/A	NO
<b>Individuals Needed</b>							<b>1</b>					<b>1</b>

FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 2 (continued)

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Technician</b>	<b>26</b>	<b>22</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>% Represented</b>		84.62%	3.85%	0.00%	0.00%	7.69%	3.85%	0.00%	0.00%	0.00%	0.00%	3.85%
<b>% CLF</b>		11.40%	0.00%	0.00%	0.00%	0.00%	62.90%	0.00%	0.00%	0.00%	25.70%	88.60%
<b>Parity Reached</b>		YES	YES	N/A	N/A	YES	NO	N/A	N/A	N/A	NO	NO
<b>Individuals Needed</b>							<b>15</b>				<b>6</b>	<b>22</b>

Notes: 1) the EEO-4 category of "Paraprofessionals" has been combined with the EEO-4 category of "Technicians". 2) The EEO-4 category of "Official Administrator" and "Professionals" was compared to census data at the statewide level and not by each division. 3) Figures may not total 100% due to rounding or additional information (such as the category two or more races) calculated by the census but not by ODOT. 4) When calculating data, 0.8 is equivalent to one whole person.



## **Division 3**

**Availability Analysis**

**EEO Category: Administrative Support**

**Field Division 3: Ada, Oklahoma**

**County Maintenance: Cleveland, Coal, Garvin, Hughes, Johnston, Lincoln, McClain, Okfuskee, Pontotoc, Pottawatomie, and Seminole**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	3.8%	4.6%	1.3%	3.4%	13.1%	71.9%	28.1%	1.00%	3.8%	4.6%	1.3%	3.4%	13.1%	71.9%	28.1%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	3.8%	4.6%	1.3%	3.4%	13.1%	71.9%	28.1%
<b>Final Availability</b>									<b>3.8%</b>	<b>4.6%</b>	<b>1.3%</b>	<b>3.4%</b>	<b>13.1%</b>	<b>71.9%</b>	<b>28.1%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Cleveland, Coal, Garvin, Hughes, Johnston, Lincoln, McClain, Okfuskee, Pontotoc, Pottawatomie, and Seminole County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Service Maintenance**

**Field Division 3: Ada, Oklahoma**

**County Maintenance: Cleveland, Coal, Garvin, Hughes, Johnston, Lincoln, McClain, Okfuskee, Pontotoc, Pottawatomie, and Seminole**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	5.3%	4.8%	3.7%	5.0%	18.8%	59.9%	40.2%	1.00%	5.3%	4.8%	3.7%	5.0%	18.8%	59.9%	40.2%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	5.3%	4.8%	3.7%	5.0%	18.8%	59.9%	40.2%
<b>Final Availability</b>									5.3%	4.8%	3.7%	5.0%	18.8%	59.9%	40.2%

*Note: Data collected from the EEO-CIT04R-Geography-Cleveland, Coal, Garvin, Hughes, Johnston, Lincoln, McClain, Okfuskee, Pontotoc, Pottawatomie, and Seminole County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Skilled Craft Workers**

**Field Division 3: Ada, Oklahoma**

**County Maintenance: Cleveland, Coal, Garvin, Hughes, Johnston, Lincoln, McClain, Okfuskee, Pontotoc, Pottawatomie, and Seminole**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	1.7%	3.5%	1.7%	6.0%	12.9%	4.3%	95.7%	1.00%	1.7%	3.5%	1.7%	6.0%	12.9%	4.3%	95.7%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	1.7%	3.5%	1.7%	6.0%	12.9%	4.3%	95.7%
<b>Final Availability</b>									<b>1.7%</b>	<b>3.5%</b>	<b>1.7%</b>	<b>6.0%</b>	<b>12.9%</b>	<b>4.3%</b>	<b>95.7%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Cleveland, Coal, Garvin, Hughes, Johnston, Lincoln, McClain, Okfuskee, Pontotoc, Pottawatomie, and Seminole County, Oklahoma Estimate- Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Technicians**

**Field Division 3: Ada, Oklahoma**

**County Maintenance: Cleveland, Coal, Garvin, Hughes, Johnston, Lincoln, McClain, Okfuskee, Pontotoc, Pottawatomie, and Seminole**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	4.1%	2.3%	4.0%	4.5%	14.8%	53.1%	46.9%	1.00%	4.1%	2.3%	4.0%	4.5%	14.8%	53.1%	46.9%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	4.1%	2.3%	4.0%	4.5%	14.8%	53.1%	46.9%
<b>Final Availability</b>									<b>4.1%</b>	<b>2.3%</b>	<b>4.0%</b>	<b>4.5%</b>	<b>14.8%</b>	<b>53.1%</b>	<b>46.9%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Cleveland, Coal, Garvin, Hughes, Johnston, Lincoln, McClain, Okfuskee, Pontotoc, Pottawatomie, and Seminole County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*



FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 3 (continued)

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Technician</b>	<b>32</b>	<b>23</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>
<b>% Represented</b>		71.88%	6.25%	3.13%	0.00%	6.25%	12.50%	0.00%	0.00%	0.00%	0.00%	12.50%
<b>% CLF</b>		39.60%	1.10%	0.80%	2.30%	1.80%	43.40%	2.90%	1.50%	1.60%	2.80%	53.10%
<b>Parity Reached</b>		YES	YES	YES	YES	YES	NO	NO	YES	YES	NO	NO
<b>Individuals Needed</b>							<b>10</b>	<b>1</b>			<b>1</b>	<b>13</b>

Notes: 1) the EEO-4 category of "Paraprofessionals" has been combined with the EEO-4 category of "Technicians". 2) The EEO-4 category of "Official Administrator" and "Professionals" was compared to census data at the statewide level and not by each division. 3) Figures may not total 100% due to rounding or additional information (such as the category two or more races) calculated by the census but not by ODOT. 4) When calculating data, 0.8 is equivalent to one whole person.



## **Division 4**

**Availability Analysis**

**EEO Category: Administrative Support**

**Field Division 4: Perry, Oklahoma**

**County Maintenance: Canadian, Cleveland, Garfield, Grant, Kay, Kingfisher, Logan, Noble, Oklahoma, Payne**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.7%	4.3%	0.8%	3.2%	9.0%	80.2%	19.8%	1.00%	0.7%	4.3%	0.8%	3.2%	9.0%	80.2%	19.8%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.7%	4.3%	0.8%	3.2%	9.0%	80.2%	19.8%
<b>Final Availability</b>									<b>0.7%</b>	<b>4.3%</b>	<b>0.8%</b>	<b>3.2%</b>	<b>9.0%</b>	<b>80.2%</b>	<b>19.8%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Canadian, Cleveland, Garfield, Grant, Kay, Kingfisher, Logan, Noble, Oklahoma, Payne County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Service Maintenance**

**Field Division 4: Perry, Oklahoma**

**County Maintenance: Canadian, Cleveland, Garfield, Grant, Kay, Kingfisher, Logan, Noble, Oklahoma, Payne**

Factors	Raw Availability %							Weight Factor	Weighted Availability *							
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males	
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	2.6%	3.9%	2.2%	4.8%	13.5%	55.4%	44.5%	1.00%	2.6%	3.9%	2.2%	4.8%	13.5%	55.4%	44.5%	
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.																
*(Raw Availability % x Weight Factor = Weighted Availability)																
<b>Total</b>								1.00%	2.6%	3.9%	2.2%	4.8%	13.5%	55.4%	44.5%	
<b>Final Availability</b>									2.6%	3.9%	2.2%	4.8%	13.5%	55.4%	44.5%	

*Note: Data collected from the EEO-CIT04R-Geography-Canadian, Cleveland, Garfield, Grant, Kay, Kingfisher, Logan, Noble, Oklahoma, Payne County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Skilled Craft Workers**

**Field Division 4: Perry, Oklahoma**

**County Maintenance: Canadian, Cleveland, Garfield, Grant, Kay, Kingfisher, Logan, Noble, Oklahoma, Payne**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.8%	5.2%	2.9%	4.2%	13.1%	3.9%	96.1%	1.00%	0.8%	5.2%	2.9%	4.2%	13.1%	3.9%	96.1%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.8%	5.2%	2.9%	4.2%	13.1%	3.9%	96.1%
<b>Final Availability</b>									<b>0.8%</b>	<b>5.2%</b>	<b>2.9%</b>	<b>4.2%</b>	<b>13.1%</b>	<b>3.9%</b>	<b>96.1%</b>

*Note: Data collected from the EEO-CIT04R-Geography-Canadian, Cleveland, Garfield, Grant, Kay, Kingfisher, Logan, Noble, Oklahoma, Payne County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*

**Availability Analysis**

**EEO Category: Technicians**

**Field Division 4: Perry, Oklahoma**

**County Maintenance: Canadian, Cleveland, Garfield, Grant, Kay, Kingfisher, Logan, Noble, Oklahoma, Payne**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	2.2%	3.3%	3.6%	2.8%	11.9%	56.2%	43.8%	1.00%	2.2%	3.3%	3.6%	2.8%	11.9%	56.2%	43.8%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	2.2%	3.3%	3.6%	2.8%	11.9%	56.2%	43.8%
<b>Final Availability</b>									2.2%	3.3%	3.6%	2.8%	11.9%	56.2%	43.8%

*Note: Data collected from the EEO-CIT04R-Geography-Canadian, Cleveland, Garfield, Grant, Kay, Kingfisher, Logan, Noble, Oklahoma, Payne County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Citizen - Universe: Civilian labor force 16 years and over who are a U.S. citizen*



FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 4 (continued)

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Technician</b>	<b>44</b>	<b>30</b>	<b>2</b>	<b>7</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>% Represented</b>		68.18%	4.55%	15.91%	0.00%	4.55%	6.82%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>% CLF</b>		39.90%	0.20%	0.20%	1.70%	1.90%	48.20%	1.90%	3.00%	1.90%	1.10%	56.20%
<b>Parity Reached</b>		YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	NO
<b>Individuals Needed</b>							<b>18</b>	<b>1</b>	<b>1</b>	<b>1</b>		<b>24</b>

Notes: 1) the EEO-4 category of "Paraprofessionals" has been combined with the EEO-4 category of "Technicians". 2) The EEO-4 category of "Official Administrator" and "Professionals" was compared to census data at the statewide level and not by each division. 3) Figures may not total 100% due to rounding or additional information (such as the category two or more races) calculated by the census but not by ODOT. 4) When calculating data, 0.8 is equivalent to one whole person.



## **Division 5**

**Availability Analysis**

**EEO Category: Administrative Support**

**Field Division 5: Clinton, Oklahoma**

**County Maintenance: Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman, Washita**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	1.8%	0.0%	0.4%	0.0%	2.2%	82.3%	17.7%	1.00%	1.8%	0.0%	0.4%	0.0%	2.2%	82.3%	17.7%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	1.8%	0.0%	0.4%	0.0%	2.2%	82.3%	17.7%
<b>Final Availability</b>									<b>1.8%</b>	<b>0.0%</b>	<b>0.4%</b>	<b>0.0%</b>	<b>2.2%</b>	<b>82.3%</b>	<b>17.7%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman, Washita County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*

**Availability Analysis**

**EEO Category: Service Maintenance**

**Field Division 5: Clinton, Oklahoma**

**County Maintenance: Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman, Washita**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.6%	14.5%	0.0%	1.6%	16.7%	67.9%	31.8%	1.00%	0.6%	14.5%	0.0%	1.6%	16.7%	67.9%	31.8%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.6%	14.5%	0.0%	1.6%	16.7%	67.9%	31.8%
<b>Final Availability</b>									<b>0.6%</b>	<b>14.5%</b>	<b>0.0%</b>	<b>1.6%</b>	<b>16.7%</b>	<b>67.9%</b>	<b>31.8%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman, Washita County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*

**Availability Analysis**

**EEO Category: Skilled Craft Workers**

**Field Division 5: Clinton, Oklahoma**

**County Maintenance: Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman, Washita**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.0%	3.1%	0.0%	2.8%	5.9%	2.0%	97.7%	1.00%	0.0%	3.1%	0.0%	2.8%	5.9%	2.0%	97.7%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.0%	3.1%	0.0%	2.8%	5.9%	2.0%	97.7%
<b>Final Availability</b>									0.0%	3.1%	0.0%	2.8%	5.9%	2.0%	97.7%

*Note: Data collected from the EEO-ALL04R-Geography-Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman, Washita County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*

**Availability Analysis**

**EEO Category: Technicians**

**Field Division 5: Clinton, Oklahoma**

**County Maintenance: Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman, Washita**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.0%	5.9%	0.0%	0.0%	5.9%	47.1%	52.9%	1.00%	0.0%	5.9%	0.0%	0.0%	5.9%	47.1%	52.9%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.0%	5.9%	0.0%	0.0%	5.9%	47.1%	52.9%
<b>Final Availability</b>									<b>0.0%</b>	<b>5.9%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>5.9%</b>	<b>47.1%</b>	<b>52.9%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman, Washita County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civillian labor force 16 years and over*



FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 5 (continued)

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
Technician	27	21	0	5	0	0	1	0	0	0	0	1
% Represented		77.78%	0.00%	18.52%	0.00%	0.00%	3.70%	0.00%	0.00%	0.00%	0.00%	3.70%
% CLF		52.90%	0.00%	0.00%	0.00%	0.00%	41.20%	0.00%	5.90%	0.00%	0.00%	47.10%
Parity Reached		YES	N/A	YES	N/A	N/A	NO	N/A	NO	N/A	N/A	NO
Individuals Needed							10		1			11

Notes: 1) the EEO-4 category of "Paraprofessionals" has been combined with the EEO-4 category of "Technicians". 2) The EEO-4 category of "Official Administrator" and "Professionals" was compared to census data at the statewide level and not by each division. 3) Figures may not total 100% due to rounding or additional information (such as the category two or more races) calculated by the census but not by ODOT. 4) When calculating data, 0.8 is equivalent to one whole person.



## **Division 6**

**Availability Analysis**

**EEO Category: Administrative Support**

**Field Division 6: Buffalo, Oklahoma**

**County Maintenance: Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Texas, Woods, Woodward**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	1.1%	5.6%	0.0%	0.0%	6.7%	88.7%	11.3%	1.00%	1.1%	5.6%	0.0%	0.0%	6.7%	88.7%	11.3%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	1.1%	5.6%	0.0%	0.0%	6.7%	88.7%	11.3%
<b>Final Availability</b>									<b>1.1%</b>	<b>5.6%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>6.7%</b>	<b>88.7%</b>	<b>11.3%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Texas, Woods, Woodward County, Oklahoma Estimate- Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*

Availability Analysis

EEO Category: Service Maintenance

Field Division 6: Buffalo, Oklahoma

County Maintenance: Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Texas, Woods, Woodward

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.0%	5.4%	1.1%	0.0%	6.5%	63.5%	36.5%	1.00%	0.0%	5.4%	1.1%	0.0%	6.5%	63.5%	36.5%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.0%	5.4%	1.1%	0.0%	6.5%	63.5%	36.5%
<b>Final Availability</b>									<b>0.0%</b>	<b>5.4%</b>	<b>1.1%</b>	<b>0.0%</b>	<b>6.5%</b>	<b>63.5%</b>	<b>36.5%</b>

Note: Data collected from the EEO-ALL04R-Geography-Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Texas, Woods, Woodward County, Oklahoma Estimate- Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over

**Availability Analysis**

**EEO Category: Skilled Craft Workers**

**Field Division 6: Buffalo, Oklahoma**

**County Maintenance: Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Texas, Woods, Woodward**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.0%	0.0%	0.0%	0.0%	0.0%	4.9%	96.7%	1.00%	0.0%	0.0%	0.0%	0.0%	0.0%	4.9%	96.7%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.0%	0.0%	0.0%	0.0%	0.0%	4.9%	96.7%
<b>Final Availability</b>									<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>4.9%</b>	<b>96.7%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Texas, Woods, Woodward County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*

**Availability Analysis**

**EEO Category: Technicians**

**Field Division 6: Buffalo, Oklahoma**

**County Maintenance: Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Texas, Woods, Woodward**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.0%	0.0%	0.0%	0.0%	0.0%	87.5%	10.0%	1.00%	0.0%	0.0%	0.0%	0.0%	0.0%	87.5%	10.0%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.0%	0.0%	0.0%	0.0%	0.0%	87.5%	10.0%
<b>Final Availability</b>									<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>87.5%</b>	<b>10.0%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Texas, Woods, Woodward County, Oklahoma Estimate- Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*



FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 6 (continued)

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Technician</b>	<b>26</b>	<b>21</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>
<b>% Represented</b>		80.77%	3.85%	0.00%	0.00%	3.85%	7.69%	0.00%	3.85%	0.00%	0.00%	11.54%
<b>% CLF</b>		10.00%	0.00%	0.00%	0.00%	0.00%	87.50%	0.00%	0.00%	0.00%	0.00%	87.50%
<b>Parity Reached</b>		YES	YES	N/A	N/A	YES	NO	N/A	YES	N/A	N/A	NO
<b>Individuals Needed</b>							<b>20</b>					<b>19</b>

Notes: 1) the EEO-4 category of "Paraprofessionals" has been combined with the EEO-4 category of "Technicians". 2) The EEO-4 category of "Official Administrator" and "Professionals" was compared to census data at the statewide level and not by each division. 3) Figures may not total 100% due to rounding or additional information (such as the category two or more races) calculated by the census but not by ODOT. 4) When calculating data, 0.8 is equivalent to one whole person.



## **Division 7**

**Availability Analysis**

**EEO Category: Administrative Support**

**Field Division 7: Duncan, Oklahoma**

**County Maintenance: Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love, Murray, Stephens**

Factors	Raw Availability %							Weight Factor	Weighted Availability *							
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males	
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.0%	2.4%	0.7%	22.1%	25.1%	82.4%	17.6%	1.00%	0.0%	2.4%	0.7%	22.1%	25.1%	82.4%	17.6%	
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.																
*(Raw Availability % x Weight Factor = Weighted Availability)																
<b>Total</b>								1.00%	0.0%	2.4%	0.7%	22.1%	25.1%	82.4%	17.6%	
<b>Final Availability</b>									0.0%	2.4%	0.7%	22.1%	25.1%	82.4%	17.6%	

*Note: Data collected from the EEO-ALL04R-Geography-Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love, Murray, Stephens County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*

**Availability Analysis**

**EEO Category: Service Maintenance**

**Field Division 7: Duncan, Oklahoma**

**County Maintenance: Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love, Murray, Stephens**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	2.8%	8.3%	0.4%	34.5%	46.0%	63.3%	36.7%	1.00%	2.8%	8.3%	0.4%	34.5%	46.0%	63.3%	36.7%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	2.8%	8.3%	0.4%	34.5%	46.0%	63.3%	36.7%
<b>Final Availability</b>									<b>2.8%</b>	<b>8.3%</b>	<b>0.4%</b>	<b>34.5%</b>	<b>46.0%</b>	<b>63.3%</b>	<b>36.7%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love, Murray, Stephens County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*

**Availability Analysis**

**EEO Category: Skilled Craft**

**Field Division 7: Duncan, Oklahoma**

**County Maintenance: Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love, Murray, Stephens**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.2%	8.6%	0.6%	13.1%	22.5%	2.7%	97.0%	1.00%	0.2%	8.6%	0.6%	13.1%	22.5%	2.7%	97.0%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.2%	8.6%	0.6%	13.1%	22.5%	2.7%	97.0%
<b>Final Availability</b>									<b>0.2%</b>	<b>8.6%</b>	<b>0.6%</b>	<b>13.1%</b>	<b>22.5%</b>	<b>2.7%</b>	<b>97.0%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love, Murray, Stephens County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*

**Availability Analysis**

**EEO Category: Technicians Maintenance**

**Field Division 7: Duncan, Oklahoma**

**County Maintenance: Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love, Murray, Stephens**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	6.3%	9.4%	0.0%	1.3%	17.0%	73.4%	28.1%	1.00%	6.3%	9.4%	0.0%	1.3%	17.0%	73.4%	28.1%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	6.3%	9.4%	0.0%	1.3%	17.0%	73.4%	28.1%
<b>Final Availability</b>									<b>6.3%</b>	<b>9.4%</b>	<b>0.0%</b>	<b>1.3%</b>	<b>17.0%</b>	<b>73.4%</b>	<b>28.1%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love, Murray, Stephens County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*



FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 7 (continued)

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Technician</b>	<b>32</b>	<b>22</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>5</b>
<b>% Represented</b>		68.755	0.00%	3.13%	0.00%	12.50%	9.38%	0.00%	0.00%	0.00%	6.25%	15.63%
<b>% CLF</b>		14.10%	0.00%	9.40%	0.00%	0.00%	62.50%	6.30%	0.00%	0.00%	1.30%	73.40%
<b>Parity Reached</b>		YES	N/A	NO	N/A	YES	NO	NO	N/A	N/A	YES	NO
<b>Individuals Needed</b>				<b>2</b>			<b>17</b>	<b>2</b>				<b>18</b>

Notes: 1) the EEO-4 category of "Paraprofessionals" has been combined with the EEO-4 category of "Technicians". 2) The EEO-4 category of "Official Administrator" and "Professionals" was compared to census data at the statewide level and not by each division. 3) Figures may not total 100% due to rounding or additional information (such as the category two or more races) calculated by the census but not by ODOT. 4) When calculating data, 0.8 is equivalent to one whole person.



## **Division 8**

**Availability Analysis**

**EEO Category: Administrative Support**

**Field Division 8: Tulsa, Oklahoma**

**County Maintenance: Craig, Creek, Delaware, Mayes, Nowata, Osage, Ottawa, Pawnee, Rogers, Tulsa, Tulsa (West), Washington**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.0%	1.1%	0.0%	9.8%	10.9%	73.2%	26.8%	1.00%	0.0%	1.1%	0.0%	9.8%	10.9%	73.2%	26.8%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.0%	1.1%	0.0%	9.8%	10.9%	73.2%	26.8%
<b>Final Availability</b>									<b>0.0%</b>	<b>1.1%</b>	<b>0.0%</b>	<b>9.8%</b>	<b>10.9%</b>	<b>73.2%</b>	<b>26.8%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Tulsa County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over.*

**Availability Analysis**

**EEO Category: Service Maintenance**

**Field Division 8: Tulsa, Oklahoma**

**County Maintenance: Craig, Creek, Delaware, Mayes, Nowata, Osage, Ottawa, Pawnee, Rogers, Tulsa, Tulsa (West), Washington**

Factors	Raw Availability %							Weight Factor	Weighted Availability *							
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males	
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	2.6%	3.9%	0.3%	11.4%	18.2%	62.5%	37.5%	1.00%	2.6%	3.9%	0.3%	11.4%	18.2%	62.5%	37.5%	
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.																
*(Raw Availability % x Weight Factor = Weighted Availability)																
<b>Total</b>								1.00%	2.6%	3.9%	0.3%	11.4%	18.2%	62.5%	37.5%	
<b>Final Availability</b>									<b>2.6%</b>	<b>3.9%</b>	<b>0.3%</b>	<b>11.4%</b>	<b>18.2%</b>	<b>62.5%</b>	<b>37.5%</b>	

*Note: Data collected from the EEO-ALL04R-Geography-Tulsa County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over.*

**Availability Analysis**

**EEO Category: Skilled Craft Workers**

**Field Division 8: Tulsa, Oklahoma**

**County Maintenance: Craig, Creek, Delaware, Mayes, Nowata, Osage, Ottawa, Pawnee, Rogers, Tulsa, Tulsa (West), Washington**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	1.4%	2.1%	0.0%	20.8%	24.3%	6.3%	93.8%	1.00%	1.4%	2.1%	0.0%	20.8%	24.3%	6.3%	93.8%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	1.4%	2.1%	0.0%	20.8%	24.3%	6.3%	93.8%
<b>Final Availability</b>									<b>1.4%</b>	<b>2.1%</b>	<b>0.0%</b>	<b>20.8%</b>	<b>24.3%</b>	<b>6.3%</b>	<b>93.8%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Tulsa County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over.*

**Availability Analysis**

**EEO Category: Technicians**

**Field Division 8: Tulsa, Oklahoma**

**County Maintenance: Craig, Creek, Delaware, Mayes, Nowata, Osage, Ottawa, Pawnee, Rogers, Tulsa, Tulsa (West), Washington**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	0.0%	0.0%	0.0%	8.1%	8.1%	75.7%	21.6%	1.00%	0.0%	0.0%	0.0%	8.1%	8.1%	75.7%	21.6%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	0.0%	0.0%	0.0%	8.1%	8.1%	75.7%	21.6%
<b>Final Availability</b>									<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>8.1%</b>	<b>8.1%</b>	<b>75.7%</b>	<b>21.6%</b>

*Note: Data collected from the EEO-ALL04R-Geography-Tulsa County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over.*



FY 2015 Parity Report  
Civilian Labor Force (CLF) –Division 8 (continued)

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Technician</b>	<b>42</b>	<b>30</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>6</b>
<b>% Represented</b>		71.43%	2.38%	2.38%	0.00%	9.52%	11.90%	0.00%	2.38%	0.00%	0.00%	14.29%
<b>% CLF</b>		8.10%	0.00%	0.00%	0.00%	2.20%	67.60%	0.00%	0.00%	0.00%	8.10%	75.70%
<b>Parity Reached</b>		YES	YES	YES	N/A	YES	NO	N/A	YES	N/A	NO	NO
<b>Individuals Needed</b>							<b>23</b>				<b>3</b>	<b>25</b>

Notes: 1) the EEO-4 category of "Paraprofessionals" has been combined with the EEO-4 category of "Technicians". 2) The EEO-4 category of "Official Administrator" and "Professionals" was compared to census data at the statewide level and not by each division. 3) Figures may not total 100% due to rounding or additional information (such as the category two or more races) calculated by the census but not by ODOT. 4) When calculating data, 0.8 is equivalent to one whole person.



# **Central Office**

**Availability Analysis**  
**EEO Category: Administrative Support**  
**Central Office: Oklahoma City, Oklahoma**

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	16.1%	6.4%	2.0%	3.2%	27.7%	73.5%	26.5%	1.00%	16.1%	6.4%	2.0%	3.2%	27.7%	73.5%	26.5%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	16.1%	6.4%	2.0%	3.2%	27.7%	73.5%	26.5%
<b>Final Availability</b>									16.1%	6.4%	2.0%	3.2%	27.7%	73.5%	26.5%

*Note: Data collected from the EEO-ALL04R-Geography-OklahomaEstimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*

Availability Analysis  
 EEO Category: Service Maintenance  
 Central Office: Oklahoma City, Oklahoma

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	24.1%	7.7%	3.9%	3.4%	39.1%	59.3%	40.7%	1.00%	24.1%	7.7%	3.9%	3.4%	39.1%	59.3%	40.7%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	24.1%	7.7%	3.9%	3.4%	39.1%	59.3%	40.7%
<b>Final Availability</b>									<b>24.1%</b>	<b>7.7%</b>	<b>3.9%</b>	<b>3.4%</b>	<b>39.1%</b>	<b>59.3%</b>	<b>40.7%</b>

Note: Data collected from the EEO-ALL04R-Geography-OklahomaEstimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over

Availability Analysis  
 EEO Category: Skilled Craft Workers  
 Central Office: Oklahoma City, Oklahoma

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	9.2%	10.3%	2.4%	2.5%	24.4%	7.5%	92.5%	1.00%	9.2%	10.3%	2.4%	2.5%	24.4%	7.5%	92.5%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	9.2%	10.3%	2.4%	2.5%	24.4%	7.5%	92.5%
<b>Final Availability</b>									9.2%	10.3%	2.4%	2.5%	24.4%	7.5%	92.5%

Note: Data collected from the EEO-ALL04R-Geography-OklahomaEstimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over

Availability Analysis  
 EEO Category: Technicians  
 Central Office: Oklahoma City, Oklahoma

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	15.0%	4.1%	5.3%	3.6%	28.0%	57.3%	42.8%	1.00%	15.0%	4.1%	5.3%	3.6%	28.0%	57.3%	42.8%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	15.0%	4.1%	5.3%	3.6%	28.0%	57.3%	42.8%
<b>Final Availability</b>									15.0%	4.1%	5.3%	3.6%	28.0%	57.3%	42.8%

*Note: Data collected from the EEO-ALL04R-Geography-OklahomaEstimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over*



**FY 2015 Parity Report  
Civilian Labor Force (CLF) –Central Office (continued)**

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Technician</b>	<b>183</b>	<b>109</b>	<b>10</b>	<b>5</b>	<b>7</b>	<b>8</b>	<b>31</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>5</b>	<b>44</b>
<b>% Represented</b>		59.56%	5.46%	2.73%	3.83%	4.37%	16.94%	1.64%	1.64%	1.09%	2.73%	24.04%
<b>% CLF</b>		31.40%	4.30%	1.60%	2.40%	1.60%	37.30%	10.60%	2.50%	2.90%	2.00%	57.30%
<b>Parity Reached</b>		YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	NO
<b>Individuals Needed</b>							<b>37</b>	<b>16</b>	<b>1</b>	<b>3</b>		<b>61</b>

*Notes: 1) the EEO-4 category of "Paraprofessionals" has been combined with the EEO-4 category of "Technicians". 2) The EEO-4 category of "Official Administrator" and "Professionals" was compared to census data at the statewide level and not by each division. 3) Figures may not total 100% due to rounding or additional information (such as the category two or more races) calculated by the census but not by ODOT. 4) When calculating data, 0.8 is equivalent to one whole person.*



**Statewide**

Availability Analysis  
 EEO Category: Official Admin  
 Statewide

Factors	Raw Availability %							Weight Factor	Weighted Availability *							
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males	
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	4.2%	2.9%	1.1%	5.2%	13.4%	40.3%	59.7%	1.00%	4.2%	2.9%	1.1%	5.2%	13.4%	40.3%	59.7%	
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.																
*(Raw Availability % x Weight Factor = Weighted Availability)																
<b>Total</b>								1.00%	4.2%	2.9%	1.1%	5.2%	13.4%	40.3%	59.7%	
<b>Final Availability</b>									4.2%	2.9%	1.1%	5.2%	13.4%	40.3%	59.7%	

Note: Data collected from the EEO-ALL04R-Geography-Tulsa County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over.

Availability Analysis  
 EEO Category: Professionals  
 Statewide

Factors	Raw Availability %							Weight Factor	Weighted Availability *						
	Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males		Black	Hisp.	AS/PI	AI/AN	Total Min	Females	Males
Percentage of minorities or females having requisite skills in the area which the agency can reasonably recruit.	5.4%	2.7%	1.6%	5.0%	14.7%	58.5%	41.5%	1.00%	5.4%	2.7%	1.6%	5.0%	14.7%	58.5%	41.5%
Percentage of minorities or females promotable, transferable, and trainable within the agency's organization.															
*(Raw Availability % x Weight Factor = Weighted Availability)															
<b>Total</b>								1.00%	5.4%	2.7%	1.6%	5.0%	14.7%	58.5%	41.5%
<b>Final Availability</b>									5.4%	2.7%	1.6%	5.0%	14.7%	58.5%	41.5%

Note: Data collected from the EEO-ALL04R-Geography-Tulsa County, Oklahoma Estimate-Estimate: EEO 4r. EEO-1 Job Categories by Sex, and Race/Ethnicity for Residence Geography, Total Population - Universe: Civilian labor force 16 years and over.

**FY 2015 Parity Report  
Civilian Labor Force (CLF) –Statewide**

Job Group	TOTAL EMP	MALE					FEMALE					TOTAL FEMALES
		WHITE	BLACK	HISP	AS/PI	AI/AN	WHITE	BLACK	HISP	AS/PI	AI/AN	
<b>Official Admin</b>	<b>189</b>	<b>132</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>5</b>	<b>32</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>39</b>
<b>% Represented</b>		69.84%	2.65%	2.12%	2.12%	2.65%	16.93%	0.53%	0.00%	1.59%	1.59%	20.63%
<b>% CLF</b>		50.60%	1.80%	1.60%	0.60%	2.60%	31.40%	2.40%	1.40%	0.40%	2.50%	40.30%
<b>Parity Reached</b>		YES	YES	YES	YES	YES	NO	NO	NO	YES	NO	NO
<b>Individuals Needed</b>							<b>27</b>	<b>3</b>	<b>2</b>		<b>1</b>	<b>37</b>
<b>Professionals</b>	<b>652</b>	<b>384</b>	<b>22</b>	<b>13</b>	<b>7</b>	<b>47</b>	<b>148</b>	<b>14</b>	<b>1</b>	<b>3</b>	<b>13</b>	<b>179</b>
<b>% Represented</b>		58.90%	3.37%	1.99%	1.07%	7.21%	22.70%	2.15%	0.15%	0.46%	1.99%	27.45%
<b>% CLF</b>		34.30%	2.00%	1.00%	1.00%	1.70%	46.90%	3.40%	1.70%	0.60%	3.20%	58.50%
<b>Parity Reached</b>		YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO
<b>Individuals Needed</b>							<b>157</b>	<b>8</b>	<b>10</b>	<b>1</b>	<b>8</b>	<b>202</b>



# **Applicant Flow and Hire Summary**

## 2014-2015 ODOT Applicant Flow and Hire Summary by Job Group

Job Group	TOTAL EMP	MALE					TOTAL MALE	FEMALE					TOTAL FEMALE	TOTAL MIN
		WHITE	BLACK	HISP	AS/PI	AI/AN		WHITE	BLACK	HISP	AS/PI	AI/AN		
<b>Administrative Support</b>														
Total Apps	1186	93	28	8	10	21	160	677	182	49	23	95	1026	1093
% Apps	100.00%	7.84%	2.36%	0.67%	0.84%	1.77%	13.49%	57.08%	15.35%	4.13%	1.94%	8.01%	86.51%	92.16%
Total Hires	13	0	0	0	0	0	0	12	0	0	0	1	13	13
% Hires	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	92.31%	0.00%	0.00%	0.00%	7.69%	100.00%	100.00%
<b>Official Administrator</b>														
Total Apps	205	96	12	11	9	5	133	52	6	4	4	6	72	109
% Apps	100.00%	46.83%	5.85%	5.37%	4.39%	2.44%	64.88%	25.37%	2.93%	1.95%	1.95%	2.93%	35.12%	53.17%
Total Hires	4	2	0	0	0	0	2	2	0	0	0	0	2	2
% Hires	100.00%	50.00%	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%
<b>Paraprofessionals</b>														
Total Apps	400	193	43	2	3	28	269	77	36	4	5	9	131	207
% Apps	100.00%	48.25%	10.72%	0.50%	0.75%	7.00%	67.25%	19.25%	9.00%	1.00%	1.25%	2.25%	32.75%	51.75%
Total Hires	28	19	1	1	0	1	22	4	0	0	0	2	6	9
% Hires	100.00%	67.86%	3.57%	3.57%	0.00%	3.57%	78.57%	14.29%	0.00%	0.00%	0.00%	7.14%	21.43%	32.14%



### 2014-2015 ODOT Applicant Flow and Hire Summary by Job Group (Continued)

Job Group	TOTAL EMP	MALE					TOTAL MALE	FEMALE					TOTAL FEMALE	TOTAL MIN
		WHITE	BLACK	HISP	AS/PI	AI/AN		WHITE	BLACK	HISP	AS/PI	AI/AN		
<b>Technicians</b>														
Total Apps	172	99	11	12	9	11	142	17	4	7	0	2	30	73
% Apps	100.00%	57.56%	6.40%	6.98%	5.23%	6.40%	82.56%	9.88%	2.33%	4.07%	0.00%	1.16%	17.44%	42.44%
Total Hires	22	13	2	0	1	0	16	4	1	0	0	1	6	9
% Hires	100.00%	59.09%	9.09%	0.00%	4.55%	0.00%	72.73%	18.18%	4.55%	0.00%	0.00%	4.55%	27.27%	40.91%
Grand Total Applicants	3436	1091	217	70	89	158	1625	1178	329	92	32	148	1811	2345
Grand Total Hires	227	143	10	4	2	18	177	42	3	0	0	5	50	84

*Note: The data reflected is based off of applicants that provided information regarding their ethnic group and gender.*



# **Personnel Transactions Report**

## Personnel Transactions Report

Summary		Total	Minority					Male	Female	
			White	Black	Hispanic	AS/PI	AI/AN			Total Min
Employees at Beginning Of Period (7-01-14)	#	2355	1919	102	80	32	222	436	1922	433
	%		81.49%	4.33%	3.40%	1.36%	9.43%	18.51%	81.61%	18.39%
Employees at End of Period (6-30-15)	#	2332	1898	97	79	32	226	434	1881	451
	%		81.39%	4.16%	3.39%	1.37%	9.69%	18.61%	80.66%	19.34%
Net Increase (decrease)		-23	-21	-5	-1	0	+4	-2	-41	+18
<b>Personnel Transactions</b>										
New Hires	#	227	185	13	4	2	23	42	177	50
	%		81.50%	5.73%	1.76%	0.88%	10.13%	18.50%	77.97%	22.03%
Promotions	#	477	374	18	20	7	58	103	326	151
	%		78.41%	3.77%	4.19%	1.47%	12.16%	21.59%	68.34%	31.66%
Demotions		13	9	1	2	0	1	4	9	4
Separations		240	195	19	5	2	19	45	208	32

*Note: The category of "Separations" includes full-time employees that were either terminated or retired.*



# **Appendix**



# **Glossary of EEO Terms and Concepts**

## GLOSSARY OF EEO TERMS AND CONCEPTS

EEO, like any other field, has its own special terminology. The definitions given below will provide a better understanding of any technical language or terms that may be printed in opinions, court decisions or other literature on EEO. Words or phrases bolded within a definition are defined elsewhere in the glossary.

**Accessibility** – A barrier-free environment in which the mobility of physically disabled persons is not inhibited by external forces such as architectural design.

**Adverse Impact** (Effect) – Applying certain personnel policies uniformly to all applicants or employees (e.g., word-of-mouth recruiting, diploma requirements, intelligence tests, minimum height requirements) has the effect of denying employment or advancement to members of a **protected class**. **Business necessity** is the only justifiable reason for adverse impact.

**Affected Class** (See also: **Protected Class**) – Any employee group (for example, minorities and women) that has suffered, and continues to suffer, the effects of unlawful discrimination.

**Affirmative Action** – The methods and measures taken to correct imbalances in the work force and eliminate the effects of past discrimination employment practices.

**Affirmative Action Plan** – A planned document containing affirmative steps designed to eliminate discrimination and to overcome the effects of past or present practices, policies or other barriers to equal employment opportunity. Such steps include, but are not limited to the following:

- (1) The establishment of a long-term goal and short range, interim goals and timetables for specific job classifications, all of which should take into account the availability of basically qualified persons in the relevant labor market;
- (2) A recruitment program designed to attract qualified members of the affected group;
- (3) A systematic effort to organize work and redesign jobs in ways that will provide opportunities for persons lacking entry-level knowledge or skills to enter, and with appropriate training, to progress in a career field;
- (4) The initiation of measures designed to assure that members of an affected group who are qualified to perform the job are included within the pool of persons from which a selection official makes a selection;
- (5) A systematic effort to provide career advancement training, both classroom and on-the-job, to employees locked into dead-end jobs; and

- (6) The establishment of a system for regularly monitoring and evaluating the effectiveness of the affirmative action program and procedures for making timely adjustments where effectiveness is not demonstrated.

**Applicant Flow Record** – Written, objective measure used to analyze and monitor the recruiting efforts in an employer’s Affirmative Action Plan. This record shows each job applicant’s name, race, national origin, sex, referral source, date of application, position applied for, whether the job applied for (or any other job) was offered or why it was not offered.

**Availability** – The presence of women and minorities “ready, willing and able to work” in the civilian labor force, used in setting goals and determining underutilization. There are several basic measures of availability: **occupational parity, labor force parity, population parity.**

**Balanced and Representative Work Force** – A work force whose composition at all levels approximates the composition of the relevant civilian labor force in terms of race, sex and ethnicity.

**Bona Fide Occupational Qualification (BFOQ)** – A job requirement that permits an employer to legally discriminate on the basis of sex, age, religion or national origin. Such requirements are rare exceptions. For example, sex is a BFOQ for modeling dresses or working in a women’s locker room. Sex is not a BFOQ, however, for heavy physical work since some women are physically powerful. Race and color are never a BFOQ.

**Business Necessity** – If an employer’s practices or policies tend to **adversely affect** members of a **protected class**, then the employer must be able to demonstrate that the challenged practices effectively carry out the business purposes they are alleged to serve and that no alternative, nondiscriminatory practices can achieve the safe and efficient operation of its business.

**Class Action Suit** – A court action on behalf of an affected class alleging an unlawful pattern of discrimination by an employer. A class action suit can be initiated by an individual, a group and/or a government agency.

**Compliance** – The degree to which states agencies carry out (comply with) their affirmative action plan or federal and state anti-discrimination laws and regulations.

**Disabled Veteran** – A person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty and who is entitled to a 30 percent disability compensation under the laws administered by the Veteran’s Administration.

**Disparate Treatment** – Discrimination within the meaning of Title VII of the Civil Rights Act of 1964 that occurs when an employer or other person subject to the Act intentionally excludes individuals from an employment opportunity on the basis of race, color, religion, sex or national origin. Evidence of exclusion need not be embodied in the employer’s employment policies or practices, however. Whenever similarly situated individuals of a different race, sex, religion or national origin group are accorded disparate treatment in the context of a similar employment situation, it is reasonable to infer (absent other evidence) that discrimination has occurred. The presence of a discriminatory motive can be inferred from the fact that there were differences in treatment.

**Equal Employment Opportunity** – Administering all terms and conditions of employment without regard to age, color, disability, national origin, race, religion or sex.

**EEOC Guidelines** – Interpretations of Title VII expressed by the Equal Employment Opportunity Commission that do not have the force of law but tend to be supported by the courts. These positions are outlined in various EEOC publications such as “Discrimination Because of Sex”, “Discrimination Because of Religion”, etc.

**Employer Information Report EEO-4** – This annual report shows the representation of female and minority employees in an employer’s total work force as well as in standard job grouping (i.e., officials/administrators, professionals, technicians, protective services, paraprofessionals, administrative support, skilled craft and service maintenance.)

**FEPA** – The Oklahoma Fair Employment Practices Act, Section 840-4.12(l) of the Oklahoma Personnel Act.

**Goals** – As part of an affirmative action program, goals to eliminate employment discrimination and effects of past discrimination are required. Goals are specific, temporary and flexible.

**Intent Versus Effect** – In EEO law, corporate or personal intentions have no bearing in discrimination. What does count is the effect of what is done. If discrimination has occurred, the intention not to discriminate is of no value in defending one’s position.

**Job Relatedness** – According to EEO court decisions, any criterion employed to determine whether a person will be hired, fired, transferred, promoted, given a salary increase and so forth must be directly related to job performance.

**Manifest Imbalance** – Representation of EEO groups in a specific occupational grouping or grade level in the agency’s work force that is substantially below its representation in the appropriate CLF.

**Minority** – Persons who appear to belong, identify with or are regarded in the community as belonging to one of the following racial or ethnic groups:

Black – All persons having origins in any of the Black racial groups of Africa.

Hispanic – All persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

Asian or Pacific Islander – All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

American Indian or Alaska Native – All persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition. For affirmative action purposes, persons who are reported as American Indian shall verify tribal affiliation by providing a certificate of Degree of Indian Blood from the U. S. Department of the Interior, Bureau of Indian Affairs or by providing the name and address of tribal officials who can verify tribal affiliation.

**Occupational Parity** – The representation of women and minorities in particular occupational categories in the recruiting area. This has generally been accepted as a primary basis for defining affirmative action **goals** and **underutilization**.

**Parity** – Statistical parity is the objective of affirmative action efforts. Parity is achieved when the percentage of women and minorities in an organization’s workforce matches the percentage of protected class members available in the labor force.

**Physical Disability** – A physical or mental impairment which substantially limits one or more major life activities.

**Present Effect of Past Practices** – The concept of present effects of past practices means that employers are liable today for events and decisions of the past. Because past discriminatory practices prevent women and minorities from acquiring the necessary experience or skills to be

promoted or do certain jobs, they are considered to be suffering the present effects of past discrimination.

**Prima-Facie Evidence** – Evidence that does not have to be proven because it is sufficient on its face or first appearance. For example, if all of a company’s black employees work in the stockroom, all its women employees work in the office and all its white male employees are supervisors, a compliance agency would consider this prima-facie evidence of discrimination.

**Protected Class** – Any group (or member of that group) specified in, and therefore protected by, the anti-discrimination laws or the affirmative action obligations of employers. The anti-discrimination laws protect individuals from discrimination because of age, color, disability, national origin, race, religion or sex. The groups are **racial minorities, women, persons with a disability, disabled veterans and veterans of the Vietnam era.**

**Protected Versus Affected Class** (See also **Affected Class**) – The term protected classes describes the people who have been defined by the courts to have felt the brunt of discriminatory employment practices, i.e., women, minorities, the disabled, the 40-plus age group, the Vietnam era and disabled veterans. The term “affected classes” refers to a group of people in a specific employment situation who has been discriminated against: people with the same race, sex, color, national origin or religion who have been denied equal employment opportunity in violation of the law.

### **Reasonable Accommodation**

- (1) Used in connection with **affirmative action** for physically disabled persons. If a physically disabled employee or applicant has the skills necessary to perform a job, an employer must make reasonable accommodations to the physical environment, equipment, schedules or procedures that would enable the individual to function in the position.
- (2) Used in connection with discrimination because of religion. If an employee needs to be absent for religious reasons, an employer must make reasonable accommodation to grant the employee that absence – even though it may conflict with or differ from the employer’s schedules, standards or other business conditions unless such absences cause the employer **undue hardship**.

**Selection Process** – Steps involved in employment or promotion decisions. Generally includes initial screening interviews, completing applications, tests for employment, background and/or reference checks, actual interview for employment and decision whether or not to hire or promote the individual.

**Systemic Discrimination** – Does not involve any specific action against an individual employee or class of employees, but refers to personnel practices that pervade throughout the organization and have a discriminatory effect. It can exist over a long period of time in an organization and affect hundreds of people and yet not be obvious.

**Timetables** – The timeframe (in years) set for attaining measurable **goals** in an affirmative action program.

**Underutilization** – Having fewer minorities or women in a particular job category than would reasonably be expected by their **availability**.

**Undue Hardship** – In order for an employer to legally refuse to accommodate an applicant's or an employee's physical disability or religious beliefs, the employer must be able to show that such accommodation would place a severe burden on the operation of the business. (See also **Reasonable Accommodation**)

**Unlawful Employment Practice** – Any policy or practice that has discriminatory intent or effect.

**Veteran of the Vietnam Era** - a person who served on active duty for a period of more than 180 days, any part of which occurred between August 5, 1964 and May 7, 1975. Non-disable veterans of the Vietnam Era are a **protected class** for up to four years after discharge.



The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.