



Michigan Department of Transportation
Equal Employment Opportunity Plan
2018 – 2021

Michigan Department of Transportation

Equal Employment Opportunity Plan

2018 – 2021

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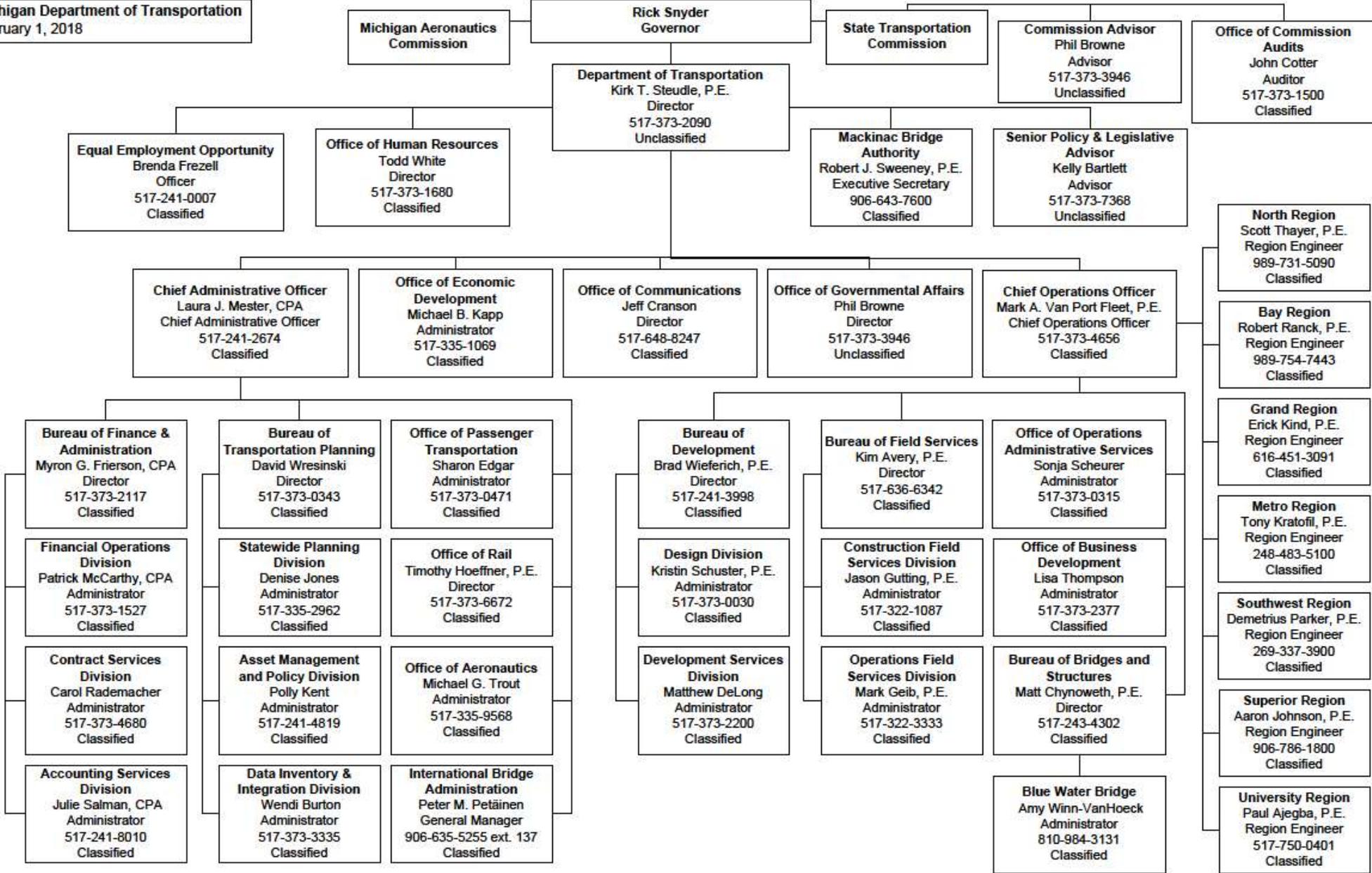
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Michigan Department of Transportation
February 1, 2018



MDOT's Equal Employment Opportunity Policy Statement

MDOT is an EEO employer. As MDOT Director, I firmly support equal employment opportunity. MDOT commits to reviewing all aspects of employment, including recruitment, selection, retention, and promotion. MDOT commits to identifying and eliminating barriers to provide all persons with equal employment opportunity. MDOT will not adversely affect a person's employment, application for employment, or status in any of MDOT's programs, services or activities, because of race, color, religion, sex, gender, color, national origin, age, height, weight, marital status, sexual orientation, genetic information, partisan considerations, or because of retaliation.

Further, as director, I ensure that if there is evidence of the effect of past discrimination (inadvertent or intentional), MDOT will submit a narrowly tailored plan to the State Personnel Director and to the Michigan Civil Rights Commission for review and approval. This narrowly tailored plan will include a commitment to set goals and timetables to overcome the effects of past discrimination. The plan will identify steps to take to ensure equal employment opportunities by developing pools of qualified candidates along with the removal of any barriers. If there is a lack of diversity in the hiring process, MDOT will set recruitment objectives using an underutilization analysis.

The responsibility for implementing and coordinating MDOT's EEO Program is assigned to MDOT's EEO Officer. Executives, managers, and supervisors are responsible for providing support in implementing MDOT's EEO internal and external non-discrimination programs. MDOT's policies work in conjunction with state and federal laws such as Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, Age Discrimination in Employment Act, federal executive orders, and other related non-discrimination statutes.

Executives and managers are responsible for conducting performance evaluations of management and supervisory personnel in the EEO area. They are expected to take prompt action to address inaction on EEO issues.

MDOT will provide training in and monitoring of its internal and external civil rights programs to ensure compliance with all federal and state civil rights statutes. Employees and applicants for employment have the right to file complaints alleging discrimination with MDOT's EEO Officer. It is unlawful to retaliate against anyone for making a complaint or participating in an investigation.

Approved: _____



Date: _____

APRIL 11, 2018

MDOT's Mission, Vision, Values, and Responsibilities

Mission – Providing the highest quality integrated transportation services for economic benefit and improved quality of life. The Michigan Department of Transportation (MDOT) is committed to improving Michigan's quality of life by providing for a safe, efficient and accessible transportation system that is independently usable by a broad spectrum of users.

Responsibilities - The following MDOT Equal Employment Opportunity Plan is intended to serve as a guide to further the mission, vision, core values and goals of MDOT.

Laws, Policies, and Procedures

MDOT's Plan is governed by the following laws, policies, and procedures:

Federal Law / Regulations

- 1963 US Equal Pay Act
- 1964 US Civil Rights Act – Title VII (Employment)
- 1967 US Age Discrimination in Employment Act
- 1990 US Americans with Disabilities Act, as Amended – Title I (Employment)
- 2008 US Genetic Information Nondiscrimination Act
- 23 CFR 230 Subpart C

State Law

- 1976 Michigan Elliott-Larsen Civil Rights Act
- 1976 Michigan Persons with Disabilities Civil Rights Act

*Diversity drives innovation –
when we limit who can
contribute, we in turn limit
the problems we can solve.
– Telle Whitney*

Policies / Procedures

- Civil Service Rule 1-8
- 2017 Michigan Civil Service Regulation 1.03 – Investigating Reports of Discriminatory Harassment
- 2017 MDOT Discriminatory Harassment Guidance Document #10128
- 2017 MDOT's Equal Employment Opportunity Policy Statement

MDOT's EEO Officer

1. Appointment

As per 23 CFR 230, Subpart C, MDOT's Director should appoint a qualified Equal Employment Opportunity Officer with the responsibility and authority to implement the internal Equal Employment Opportunity program. In making the selection, the following factors should be considered:

- a. The person appointed will have proven ability to accomplish major program goals.
- b. Managing the internal EEO program requires a major time commitment; it cannot be added on to an existing full-time job.
- c. Appointing qualified minority and/or female employees to head or staff the program may offer good role models for present and potential employees. It adds credibility to the programs involved. However, the most essential requirements for the position are sensitivity to varied ways in which discrimination limits job opportunities, commitment to program goals and sufficient status and ability to work with others in the agency to achieve them.

2. Duties

The responsibilities of the EEO Officer should include, but not necessarily be limited to:

- a. Develop the EEO Plan in conjunction with MDOT and Human Resources management.
- b. Publicizing the contents internally and externally.
- c. Assist managers and supervisors in collecting and analyzing employment data, identifying problem areas, setting goals and timetables, and developing programs to achieve goals. Programs should include specific remedies to eliminate any discriminatory practices discovered in the employment system.
- d. Handling and processing formal discrimination complaints.
- e. Designing, implementing, and monitoring internal audit and reporting systems to measure program effectiveness to determine where progress has been made and where further action is needed.
- f. Reporting, at least quarterly, to the MDOT Director, on progress and deficiencies of each unit in relation to MDOT's goals.
- g. A voluntary EEO informal resolution program to resolve discrimination complaints.

*You are personally responsible
for becoming more ethical than
the society you grew up in.
- Anonymous*

3. Support for EEO Officer

MDOT Executive Office, the Leadership Team, and the Human Resources Office provide support to the EEO Officer.

MDOT EEO Officer Listing

MDOT employs one full-time EEO Officer for its internal EEO Program.

MDOT's current EEO Officer is:

Brenda J. Frezell, J.D.
MDOT Equal Employment Opportunity Officer
425 W. Ottawa St., Lansing, MI 48909
(517) 241-0007 ☎ (517) 241-1433 fax
frezellb@michigan.gov
mdot-eeo@michigan.gov

MDOT's EEO Plan

MDOT's Employee Statistics Versus State Employment Statistics

The Michigan Department of Transportation has approximately **2,920 employees**, based on the June 30, 2017 form EEO-4.

As of June 30, 2017, MDOT's Employee Profile was as follows:

	2007 Total MDOT Empl Full / Part-Time / Non-Car		2017 Total MDOT Employees Full / Part-Time / Non-Career		2015 Michigan Working Residents US – Michigan Census	
Total	3,117	100%	2,920	100%	4,137,285	100%
White	2680	86%	2,557	87.6%	3,371,110	81.5%
Hispanic	72	2%	59	2.0%	152,245	3.7%
Black	264	9%	196	6.7%	439,080	10.6%
Asian / Pacific Islander	55	2%	61	2.1%	106,785	2.6%
Am Indian / Alaskan	46	1%	47	1.6%	17,490	0.4%
Two or More Races	Unknown		Unknown -		50,575	1.2%
Male	2,192	70%	2,011	68.9%	2,115,820	51.1%
Female	925	30%	909	31.1%	2,021,465	48.9%

	Office Administrators 2007		Office Administrators 2017		US – Michigan Census 2015	
Total	100	100%	105	100%	481,875	100%
White	84	84%	93	88.5%	415,785	86.3%
Hispanic	0	0%	0	0%	9,980	2.0%
Black	14	14%	9	8.5%	37,460	7.8%
Asian / Pacific Islander	0	0%	2	2%	12,475	2.6%
American Indian / Alaskan	2	2%	1	1%	1,590	0.3%
Two or More Races / Unknown	Unknown		Unknown -		4,585	1.0%
Male	74	74%	68	64.8%	286,960	59.6%
Female	26	26%	37	35.2%	194,915	40.4%

	Professionals 2007		Professionals 2017		US – Michigan Census 2015	
Total	1,078	100%	1,048	100%	775,065	100%
White	918	85%	923	88.1%	641,355	82.7%
Hispanic	25	2%	21	2%	16,180	2.1%
Black	91	8%	57	5.4%	61,740	8.0%
Asian / Pacific Islander	39	4%	39	3.7%	44,575	5.7%
American Indian / Alaskan	2	1%	4	0.3%	2,175	0.3%
Two or More Races / Unknown	Unknown		4	0.5%	9,040	1.2%
Male	702	65%	677	64.6%	359,790	46.4%
Female	376	35%	371	35.4%	415,275	53.6%

	Technicians 2007		Technicians 2017		US – Michigan Census 2015	
Total	865	100%	827	100%	124,150	100%
White	756	88%	705	85.3%	103,675	83.5%
Hispanic	24	3%	9	1.1%	2,790	2.2%
Black	62	7%	74	9.0%	10,685	8.6%
Asian / Pacific Islander	15	2%	19	2.2%	4,800	3.9%
American Indian / Alaskan	8	0%	6	0.7%	455	0.4%
Two or More Races / Unknown	Unknown		14	1.7%	1,745	1.4%
Male	670	78%	581	70.3%	49,510	39.9%
Female	195	22%	246	29.7%	74,640	60.1%

Note: Paraprofessionals were added to Technicians as there is no corresponding group in the US Census demographics.
2017 Paraprofessional Total =143, White =123, Hispanic =3, Black =14, Asian/Pacific Islander = 1, American Indian / Alaskan = 2,
and Two or More Races = 0. Males = 72 and Females = 71.

	Protective Service Non-sworn 2007		Protective Service Non-sworn 2017		US – Michigan Census 2015	
Total	0	0%	54	100%	6,640	100%
White	0	0%	41	75.9%	5,435	81.9%
Hispanic	0	0%	0	0.0%	150	2.3%
Black	0	0%	5	9.2%	760	11.4%
Asian / Pacific Islander	0	0%	0	0.0%	90	1.4%
American Indian / Alaskan	0	0%	8	14.9%	70	1.0%
Two or More Races / Unknown	Unknown		-	0.0%	135	2.0%
Male	0	0%	21	38.9%	3,215	48.4%
Female	0	0%	33	61.1%	3,425	51.6%

	Office and Clerical 2007		Office and Clerical 2017		US – Michigan Census 2015	
Total	225	100%	167	100%	1,107,225	100%
White	188	84%	140	83.8%	919,140	83.0%
Hispanic	4	2%	3	1.8%	30,805	2.8%
Black	31	14%	22	13.2%	122,735	11.1%
Asian / Pacific Islander	0	0%	1	0.6%	17,050	1.5%
American Indian / Alaskan	2	0%	1	0.6%	4,360	0.4%
Two or More Races / Unknown	Unknown		-	0.0%	13,135	1.2%
Male	5	2%	7	4.2%	374,775	33.8%
Female	220	98%	160	95.8%	732,450	66.2%

	Skilled Craft 2007		Skilled Craft 2017		US – Michigan Census 2015	
Total	705	100%	573	100%	352,335	100%
White	620	88%	525	91.6%	309,850	87.9%
Hispanic	15	2%	0	0.0%	12,455	4.0%
Black	50	8%	25	4.4%	22,180	6.3%
Asian / Pacific Islander	2	0%	0	0.0%	2,600	0.7%
American Indian / Alaskan	19	2%	15	2.6%	1,830	0.5%
Two or More Races / Unknown	Unknown		8	1.4%	3,420	1.2%
Male	654	93%	548	95.6%	332,020	94.2%
Female	40	4%	25	4.4%	20,315	5.8%

	Service Maintenance 2007		Service Maintenance 2017		US – Michigan Census 2015	
Total	144	100%	146	100%	1,289,995	100%
White	114	79%	130	89.0%	975,870	75.4%
Hispanic	3	3%	0	0%	79,885	6.2%
Black	16	12%	4	2.8%	183,520	14.2%
Asian / Pacific Islander	0	0%	0	0.0%	25,195	2.0%
American Indian / Alaskan	8	6%	12	8.2%	7,010	0.5%
Two or More Races / Unknown	Unknown		Unknown	-	18,515	1.7%
Male	78	54%	83	56.9%	709,550	55%
Female	66	46%	63	43.1%	580,445	45%

MDOT Employee Ages – As of September 30, 2017

Employee average age = 46.0

Employee percentage by age:

19 & Under = 1.1%	50 – 59 = 31.0%
20 – 29 = 11%	60 – 69 = 10.5%
30 – 39 = 19.5%	70 & Over = 0.5%
40 – 49 = 26.4%	

Employees percentage in federally protected age group (40+) = 68.4%

Diversifying the Applicant Pool

Online Postings:

Each year, MDOT will attempt to increase through its recruitment efforts, a more diverse applicant pool.

MDOT currently posts open positions on the following internet and social media locations: NeoGov; MDOT Facebook, MDOT Twitter, LinkedIn, and GovDelivery.

MDOT also posts on positions on Michigan's Pure Michigan Talent Connect, which is an application site where all State of Michigan applicants for unemployment benefits are required to post their resume and apply for positions.

Recruitment Events:

MDOT has visited the following recruitment locations in the past year:

- Central Michigan University Science & Engineering Fair
- Capital Area College Fair
- Construction Career Days
- Construction Science Expo
- Engineering Society of Detroit
- Impression 5 Science Center Transportation Day
- Just Build It! Career Fair
- Lawrence Technological University Career Fair
- Maker Faire Detroit
- Michigan Career Educator & Employer Alliance
- Michigan State University
 - Diversity Career Fair
 - Engineering Co-op / Intern Fair
 - Engineering Expo
 - Engineering & Technological Expo
 - Introduce a Girl to Engineering Day
 - Women in Engineering Summer Camp
- Michigan Technological University Spring Career Fair
- National Society of Black Engineers Conference
- Notre Dame University Career Fair
- Saginaw Valley State University Finance & Accounting Fair
- Valparaiso University
 - Career / Internship Fair
 - Engineering Career Fair
- University of Michigan
 - American Society of Engineers Fair
 - Engineering Career Day
 - Society of Women in Engineering Conference
- Washtenaw County Expo
- Wayne County College Access Network
- Wayne State University Winter Engineering Fair
- Western Michigan University
 - Engineering Expo
 - Government / Non-profit Career Fair
 - Science, Engineering & Mathematics Fair
 - Society of Women in Engineering Industry Dinner

MDOT will continue to diversify its representatives by including women and people of color as department representatives to recruitment events to promote diversity to potential candidates.

Interview Panels:

MDOT will continue to diversify its interview panels to include women and people of color as department representatives to promote diversity in the hiring process.

Internships / Co-ops / Programs:

MDOT offers equal employment opportunities in the following programs which will enhance its future diversity hiring efforts:

- Education Support Program:
 - Administrative leave for associate, undergraduate, and graduate degree programs in areas identified by MDOT. Administrative leave time is granted for completion of course work, up to ten hours a week.
 - A maximum of ten employees will be selected for the program each year via the program's application process. Full-time, permanent employees with a minimum of 18 months satisfactory continuous service at MDOT are eligible.
 - Employees receiving support will be required to work for MDOT for a period (contingent upon the total number of Administrative Leave hours used) upon completion of their program, or reimburse the department for salary support received.
- MDOT Civil Engineer / Technician Internship
 - Offers an internship with MDOT for individuals pursuing a civil engineering degree.
- MDOT Co-Op Program
 - Coordinated with the MDOT Regions and Bureaus.
 - Offers valuable on-the-job training to undergraduate students actively studying and majoring in civil engineering, civil technology, construction management, or land surveying.
 - Not to exceed 1,560 hours per year each year for up to six years.
 - Upon graduation, co-op students can compete for vacant permanent positions within MDOT.
- MDOT Veterans Internship Program
 - Honorably discharged veterans can find opportunities at MDOT funded by the FHWA.
- TRAC (Transportation and Civil Engineering Program)
 - This American Association of State Highway Transportation Systems program enhances math, science, and social science in Michigan's 6th through 12th grade schools to encourages students to consider careers in the transportation industry, specifically civil engineering.
 - Offers teachers real world, hands-on activities that supplement their existing curriculum and is correlated to the National Education Standards.
- Youth Development and Mentoring Program
 - In partnership with FHWA, the program prepares a diverse workforce for the future by providing participants with opportunities to pursue higher education, personal growth, and transportation careers.
 - Mentoring activities and sessions to teach job and life skills, introduce college/university options, and present students with information about careers in civil engineering, road construction and maintenance, planning, and other areas of transportation.
 - Duties assigned are based on operational need and typically include maintenance activities such as removing litter, weeding vegetation around guardrails and road signs, performing and maintaining landscaping, repairing and maintaining rest area features (picnic tables, posts, etc.), and painting.

EEO / Discriminatory Harassment Training

MDOT provides in-person Discriminatory Harassment training:

1. Required:
 - a. During New Employee Orientation – offered monthly,
 - b. **Yearly** during the summer for Co-op students and Youth Development Mentoring Program students,
 - c. For specific employees recommended by Labor Relations or the EEO Officer after an investigation – employee attends next available scheduled session,
 - d. For specific employees recommended by the EEO Officer or MDOT leadership as a resolution to a situation prior to an investigation – employee attends next available scheduled session,
2. Highly Recommended **every two years** for all employees,
 - a. May attend either next scheduled New Employee Orientation session or one of the multiple summer scheduled sessions,
3. Upon demand by units to ensure the entire unit can attend at the same time, and
4. All employee attendance is tracked by MDOT's Performance Excellence Section.
5. Note: If supervisory staff have completed EEO for Managers / Supervisor or an equivalent course through Michigan's Civil Service, they will receive the elements of Discriminatory Harassment as part of their class and do not need to take it separately.

*Coming together is a beginning;
Keeping together is progress;
Working together is success.
- Henry Ford*

MDOT provides in-person EEO Manager / Supervisor training at an off-site location minimum of six times per year.

1. Highly Recommended **every two years** for all supervisory staff. (May take an equivalent course through Michigan's Civil Service in lieu of MDOT's course.)
2. Upon demand by Regions or Sections to ensure supervisory staff can attend.
3. All supervisor / manager attendance is tracked by Performance Excellence Section.

MDOT 3-Year Diversity and Inclusion Action Plan

1. Year 1:
 - a. MDOT will pay for the hiring and retention of a Recruitment Analyst to report the Human Resources Director.
 - i. This position will have an eye toward larger, more diverse candidate pools as well as researching avenues to obtain those pools.
 - b. MDOT's EEO Officer will develop Unconscious Bias training.
 - i. MDOT's EEO Officer will train supervisors, interviewers, and Human Resource personnel throughout the state to reduce bias in the hiring process.

2. Year 2:

- a. Job Posting Monitoring:
 - i. MDOT will a minimum of six random screenings on applicants, interviewees, and final selected candidate throughout the year on various position postings to see what the racial and sex breakdown is on both per job posting.
 - ii. MDOT will include this information in the yearly report.
 - iii. This information will also show if the efforts of the Recruitment Analyst are effective or need to be adjusted.
- b. MDOT's EEO Officer will continue to provide periodic training sessions on special topics in diversity and inclusion in an effort to promote inclusion.

3. Year 3:

- a. In association with MDOT's Strategic Initiative, MDOT will implement a succession plan and recruitment strategy to fill the approximately 30% of employee vacancies which will occur over the next five years.
 - i. The goal of the succession plan and recruitment strategy is to find the most diverse applicant pool from which to select the best candidates.
- b. Job Posting Monitoring:
 - i. MDOT will a minimum of six random screenings on applicants, interviewees, and final selected candidate throughout the year on various position postings to see what the racial and sex breakdown is on both per job posting.
 - ii. MDOT will include this information in the yearly report.
 - iii. This information will also show if the efforts of the Recruitment Analyst are effective or need to be adjusted.
- c. MDOT's EEO Officer will continue to provide periodic training sessions on special topics in diversity and inclusion in an effort to promote inclusion.

MDOT Discriminatory Harassment & ADA Posters

MDOT has a poster entitled "Operating a Respectful Workplace" based on MDOT's Discriminatory Harassment Policy Guidance Document #10128 and MDOT's Workplace Violence Policy # 10124. Exhibit B. MDOT also has a poster entitled "The Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973". Exhibit D.

The posters are in the following locations:

1. Outside of the Human Resources Office in the Van Wagoner Building, Lansing, MI – the Main MDOT facility,
2. At a minimum of four locations on each floor of the Van Wagoner Building,
3. At a prominent location where employees congregate in each MDOT official locations statewide, and
4. On the MDOT intranet.

Dissemination of MDOT's EEO Plan

MDOT will inform employees and managers of any updated Plan through the following means:

1. Place a copy of the Plan on the Inside MDOT intranet in its entirety.
2. The MDOT EEO Officer will send an e-mail out to managers and supervisors advising them of the new Plan.
 - a. The e-mail will request the managers and supervisor share the information with their subordinate employees,
 - b. The e-mail will include a link to the Plan,
 - c. The e-mail will include highlights of the Plan,
 - d. The e-mail will include a read-receipt to ensure that managers and supervisors have received the e-mail, and

Distribution of EEO Policies

The MDOT EEO Plan, EEO policy statement, and Discriminatory Harassment Policy Guidance Document are located on the Inside MDOT intranet in their entirety. Exhibit A. MDOT's Discriminatory Harassment policy is provided during the following times in hardcopy format:

1. Via a hyperlink in the New Hire Checklist given to new employees,
2. New Employee Orientation during Discriminatory Harassment training section,
3. During any Discriminatory Harassment training,
4. During any EEO for Managers/Supervisors training,
5. Outside of the Human Resources Office in the Van Wagoner Building, Lansing, MI – the Main MDOT facility,
6. As part of the "Operating a Respectful Workplace" poster,
 - a. Located on the MDOT intranet, and
 - b. Displayed at all official MDOT locations in areas where employees frequent.

We may have different religions, different languages, different colored skin, but we all belong to one human race. – Kofi Annan

State of Michigan Personnel Policies and Procedures

MDOT employees are governed the Michigan Civil Service Commission, according to Article 11, Section 5 of the Michigan Constitution, and its collective bargained agreements.

MDOT employees may find information about the Civil Service Commission's Rules online at the following location:

http://www.michigan.gov/documents/mdcs/SPDOC_17-09a_602480_7.pdf

See the Civil Service Commission's Rules for specific information on the following:

1-7 Equal Employment Opportunity

- 1-8 Prohibited Discrimination
- 1-8.2 Accommodation of Disabilities
- 1-8.3 Discriminatory Harassment
- 1-8.5 Elimination of Present Effects of Past Discrimination

The State of Michigan has a centralized Complaint Process for Title II complaints of the American’s with Disabilities Act.

The form can be found on all State of Michigan web sites at the following location:

http://www.michigan.gov/documents/mdcs/ADA_Title_II_Complaint_ProcessForm_384861_7.pdf

Monitoring & Evaluation Procedures

MDOT’s Plan in Place for Monitoring and Evaluating the EEO Plan

After the production of the State’s Civil Service Quarterly Workforce Report, MDOT’s EEO Officer will meet with the HR Director and Manager of Staffing quarterly to review progress on the Plan. These meetings will assist in reviewing the data to see if action is required to augment the Plan mid-year or determine if mitigating circumstances exist.

MDOT’s Internal Reporting Process for the EEO Plan

MDOT’s EEO Officer will draft a year-end report based on data provided by the State’s Civil Service Workforce Report, the EEO-4, Human Resources, and data collected from MDOT’s units.

At this point, MDOT’s EEO Officer will work with the HR Director and Manager of Staffing to determine if mitigating circumstances occurred which caused MDOT not to meet the desired yearly goals.

Inclusion is a philosophy that embraces the idea that everyone has something of value to contribute and everyone has a right to belong – Lisa Friedman

MDOT’s Process of Identifying Problem Areas and Corrective Action Plan

During the quarterly and year-end process, should it appear that MDOT’s goals are not being met, a plan of action will be drafted and implemented to correct any deficiencies. MDOT’s EEO Officer will work with the HR Director and Manager of Staffing to draft and implement the plan. The plan will be presented to the MDOT Director for final review and approval.

MDOT Yearly EEO Report

MDOT’s Internal Yearly Report will include the following information:

- EEO Internal Complaints by Sex and Race,
- EEO Internal Complaints by Issue, Sex, and Race,
- External EEO Complaints not handled by Title VI Coordinator – Such as EEOC complaints, MDCR Complaints, etc.,

- EEO Training for non-managers / supervisors by Sex and Race,
- EEO Training for Managers / Supervisors by Sex and Race,
- Any Additional EEO Training by Sex and Race,
- MDOT’s Reasonable Accommodations by Sex and Race,
- MDOT’s Educational Support Program by Sex and Race,
- MDOT’s TRAC (Transportation and Civil Engineering) Program by Sex and Race and interest in Transportation before and after Program attendance,
- MDOT’s Recruitment Events – Universities / Colleges attended, web sites and social media used, and event participation,
- MDOT’s Selection and Appointment – Broken down by Permanent Hires, Transfers, Reclassifications, and Promotions all listed by Sex and Race,
- MDOT’s Co-op Program – Includes Applicants, Eligible Applicants all by Sex and Race, and Hired Applicants by Sex and Race,
- MDOT’s Youth Development and Mentoring Program – Broken Down by Applicants by Sex and Race, and Hired Participants all by Sex and Race,
- Workplace Violence Training by Sex and Race,
- Labor Relations Training by Sex and Race,
- Reasonable Suspicion Training by Sex and Race,
- OHR Internal Complaints by Race and Sex,
- Grievances – Broken down by Denied, Pending, Withdrawn, and Settled all by Sex and Race,
- Workforce Reduction – Broken down by Voluntary Departures, Departure Totals, Disability Retirements, and Regular Retirements all by Disability Status, Sex and Race,
- Medical Layoffs by Disability Status, Sex and Race,
- Corrective Actions – Broken down by Discipline and Corrective Actions including Written Reprimands, Formal Counselings, and Interim Service Ratings by Sex and Race,
- Disciplinary Suspensions and Separations – Broken down by Suspensions, Resignations in lieu of Separation, and Involuntary Separation all by Sex and Race,
- MDOT Civil Engineering / Technician Intern Program by Sex and Race,
- MDOT Veteran Internship Program by Sex and Race,
- Random Sampling of Applicants, Interviewees, and Final Candidate By Race and Sex (starting in Year 2), and
- Any other new program which would promote diversity and inclusion.

Inclusion is not a matter of political correctness. It is the key to growth. – Jesse Jackson

Discrimination Complaint Process

MDOT’s Policies and Procedures to Resolve Internal and External Complaints

See MDOT’s Discriminatory Harassment Guidance Document, Exhibit A.

MDOT’s Process to Inform Employees of Other Avenues for Complaints

MDOT employees who do not wish to pursue complaints with MDOT are provided with a letter informing them that they may pursue complaints with the Equal Employment Opportunity Commission or with the Michigan Department of Civil Rights. This information is also included in all MDOT Discriminatory Harassment and EEO for Managers training materials and MDOT Discriminatory Harassment posters.

How MDOT Publicizes its Informal and Formal Complaint Procedures

The MDOT Discriminatory Harassment Policy Guidance Document, which includes formal and informal complaint procedures, is located on the Inside MDOT intranet in its entirety. Exhibit C. MDOT's Discriminatory Harassment policy is provided during the following times in hardcopy format:

1. Via a hyperlink in the New Hire Checklist given to new employees,
2. New Employee Orientation Day during Discriminatory Harassment training section,
3. During Discriminatory Harassment training,
4. During EEO for Managers/Supervisors training,
5. Outside of the Human Resources Office in the Van Wagoner Building, Lansing, MI – the Main MDOT facility,
6. As part of the "Operating a Respectful Workplace" poster,
 - a. Located on the MDOT intranet, and
 - b. Displayed at all official MDOT locations in areas where employees frequent.

MDOT's Discriminatory Harassment form, which includes formal and informal complaint procedures, is located on the Inside MDOT intranet in its entirety. Exhibit B.

It is provided during the following times in hardcopy format:

1. New Employee Orientation Day during Discriminatory Harassment training section,
2. During Discriminatory Harassment training,
3. During EEO for Managers/Supervisors training, and
4. Upon request from the MDOT EEO Officer.

MDOT employees are not required to complete the Discriminatory Harassment form to file a complaint with the EEO Officer. To provide an efficient service and to eliminate any barriers, the EEO Officer will also take complaints via e-mail, telephone, fax, writing, or in person.

The EEO Officer also offers arrangements to meet employees either at their location – as some employees are not in the central office – as well as at other public places – to prevent any concerns regarding retaliation by coworkers or supervisors.

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	GUIDANCE DOCUMENT	IDENTIFIER	EFFECTIVE		
		10128	July 17, 2017		
		SUPERCEDE	DATED		
		10128	April 26, 2017		
RESPONSIBLE ORGANIZATION:		Executive Office / Equal Employment Opportunity Office			
SUBJECT:	Discriminatory Harassment Policy				

A. Purpose

The policy directs and guides MDOT employees and management on how to address, report, and resolve discriminatory harassment in the workplace. Employees are expected to comply with the requirements of this policy. MDOT employees should adopt the following principles with respect to MDOT values:

1. Support a work environment of mutual cooperation and respect that promotes MDOT’s values of Quality, Integrity, Customer Orientation, Pride, and Teamwork.
2. Nurture an awareness, acceptance, and appreciation of diversity in the workforce.
3. Promote a positive attitude of cooperation at work and while providing services.

B. Policy Statement

MDOT enacted this policy to prohibit and prevent discriminatory harassment in employment. MDOT will not tolerate or allow discrimination or harassment by any employee, management, or non-MDOT person who conducts business with this agency.

MDOT is an Equal Opportunity Employer. MDOT prohibits discrimination in recruiting, selecting, training, promoting, retaining, taking disciplinary action, or any other adverse employment action because of: race, color, religion, sex, sexual orientation, gender, national origin, age, height, weight, marital status, genetic information, disability, or partisan considerations. MDOT will take prompt and appropriate action to address internal and external complaints.

According to federal, state, and local laws and policies, MDOT will not:

1. Discriminate against an individual with respect to employment or application for employment, because of: race, color, religion, sex, sexual orientation, gender, national origin, age, height, weight, marital status, genetic information, disability, or partisan considerations.
2. Classify an employee or applicant for employment in a way which may adversely affect the status of an employee or applicant because of: race, color, religion, sex, sexual orientation, gender, national origin, age, height, weight, marital status, genetic information, disability, or partisan considerations.

C. Definition of Discriminatory Harassment

1. Discriminatory harassment is defined as unwelcome advances, requests for favors, and other verbal or physical conduct or communication based on: race, color, religion, sex, sexual orientation, gender,

national origin, age, height, weight, marital status, genetic information, disability, or partisan considerations under a condition of the person's employment.

2. Discriminatory Misconduct

- a. MDOT employees will not make offensive or derogatory comments to any other employee, customer, or the public - either directly or indirectly - based on: race, color, religion, sex, sexual orientation, gender, national origin, age, height, weight, marital status, genetic information, disability, or partisan considerations.
- b. MDOT managers and supervisors are required to address inappropriate conduct before it rises to the level of discriminatory harassment.
- c. The following behaviors - though not all inclusive - are examples of unacceptable conduct:
 1. Sexual advances, sexual harassment, propositions or innuendo.
 2. Comments or behaviors which promise benefits for sexual favors.
 3. Touching of a sexual nature including rubbing, pinching, or patting.
 4. Comments or discussions about a person's body or body parts.
 5. Sexual, racial, gender, or ethnic oriented jokes or slurs.
 6. Displaying cartoons, graffiti, pinups, posters, calendars, and magazines containing pictures of men or women of a sexual nature, whether nude or partially clad in the workplace.
 7. Repeated flirtations or sexual comments.
 8. Conveying offensive or hostile verbal or written communications or graphic images about an individual or group – directly or indirectly – based on: religion, race, color, national origin, age, sex, sexual orientation, gender, height, weight, marital status, partisan considerations, disability, or genetic information.
 9. Downloading and/or forwarding pornographic content or content considered offensive based on: religion, race, color, national origin, age, sex, sexual orientation, gender, height, weight, marital status, partisan considerations, disability, or genetic information. Such conduct also violates the State of Michigan Acceptable Use Policy and is strictly prohibited (see IT Acceptable Use Policy).

D. Reporting Requirements and Procedures

1. Obligation to Report

When possible, MDOT employees are expected to tell the harasser to stop the unwelcome behavior. If efforts have failed, report the unwelcome behavior to a supervisor, higher level of authority, or the Equal Employment Opportunity Officer. Offensive conduct must be reported promptly.

- a. Employees – **MDOT employees are required to report** to management, in writing, if either of the following circumstances exists:
 1. The employee **is harassed** in violation of this policy in the workplace by a supervisor, manager, co-worker, or other person.
 2. The employee **witnesses** a supervisor, manager, co-worker, or non-MDOT person (such as vendors and contractors) engages in discriminatory harassment in violation of this policy.
- b. Supervisors and Managers

Supervisors or managers who witness or are notified of an MDOT employee harassing person or a non-MDOT employee who harasses an MDOT employee in violation of this policy, are required to take prompt remedial action and report the incident to the EEO Officer as soon as practical.

- c. Complaints must be made by telephone, e-mail, or in-person as soon as possible, followed by completing the Internal Complaint Form 0033 - found on the Intranet. A verbal complaint plus a written complaint form will serve as the basis for the investigation.
- d. Complaints may be submitted to the immediate supervisor, higher level authority, or EEO Officer for investigation.
- e. Allegations involving managers or supervisors must be reported promptly to the EEO Officer.

2. Internal Complaint Investigation Process

- a. Employees must provide the following information, as well as any additional documentation relating to the incident(s), as follows:
 - 1. Specific details as to what happened.
 - 2. Who was directly or indirectly involved.
 - 3. When the incident(s) occurred (date and time).
 - 4. Witnesses to the event(s) (who directly heard or saw the actions).
 - 5. Documents or other useful evidence.
 - 6. Why the person believes their protected status, such as race, gender, age, etc., is the reason for the adverse actions(s) or conduct.
 - 7. How the treatment differs from the treatment of other similarly situated employee who do not share the complainants protected status.
 - 8. What the complainant is seeking as a remedy to the situation.
- b. The EEO Officer will determine whether the issues raised potentially violate EEO law or policy.
- c. The EEO Officer may confer with the supervisor of the employee, the Office of Human Resources, Labor Relations Section, or other appropriate personnel to resolve any situations that do not rise to the level of discriminatory harassment.
- d. The EEO Officer or designee will conduct an investigation into allegations of discriminatory harassment, including:
 - 1. Interview the employee, the alleged harasser(s), and witnesses to the incident(s).
 - 2. Prepare a report for management containing the results of the information gathered, the disposition of the complaint, and any recommend steps to properly address the situation based on the findings.
 - 3. Provide a copy of the investigation summary to the Labor Relations Manager for additional action if the complaint is found to be supported by evidence at the end of the investigation.
 - 4. Inform employee, alleged harasser(s)*, and area administrator(s)* of investigation results in writing. *Labor Relations will notify alleged harasser(s) and area administrator(s) if additional action will be taken.
 - 5. Maintain complaint investigations on file for seven years.

3. Reporting Time Frame

Employees are required to report violations immediately to ensure a prompt, thorough, and fair investigation. Timeliness in reporting is a major consideration in establishing the credibility of the complaint. Civil Service rules, state and federal law, and MDOT policy require prompt reporting.

The following timelines must be met to ensure an accurate and fair investigation:

- a. Employees must report violations upon a reasonable belief that a violation has occurred.
- b. Elliott-Larsen Civil Rights Act requires reporting within 180 days.
- c. Equal Employment Opportunity Commission requires reporting within 300 days.

E. Application

1. Management is responsible for fostering a work environment free of discriminatory harassment by promptly addressing all complaints brought to their attention by employees.
2. MDOT's EEO Officer may be consulted when an MDOT employee is unsure whether the allegation involves discriminatory harassment.
3. Confidentiality will be maintained to the extent possible to conduct a thorough investigation.

F. Retaliation

Retaliation against anyone for making a complaint or participating in an investigation is strictly prohibited and will give rise to a separate investigation. Employees found retaliating in violation of this policy may be subject to discipline, up to and including dismissal.

G. Discipline

1. Employees may be disciplined, up to and including dismissal, for violations of this policy.
2. Employees may be held personally liable for violations of state and federal civil rights law.
3. Managers and supervisors are required to take reasonable action to prevent and correct workplace conduct that may violate this policy. Managers and supervisors who violate this policy may be disciplined up to and including dismissal.

H. Authority

These rights are guaranteed by Title VII of the Civil Rights Act of 1964, as amended; the Michigan Elliott-Larsen Civil Rights Act, 1976 PA 220, as amended; the American with Disabilities Act of 1990; Michigan's Persons With Disabilities Civil Rights Act, PA 220 of 1976, MCL 37.1101 et seq.; Section 504 of the Rehabilitation Act of 1973; and Civil Service Regulation 1.03. The language of a Collective Bargaining Agreement may supersede the language in this policy where there is a conflict. Questions regarding this Guidance Document should be directed to Brenda J. Frezell, MDOT's EEO Officer, at (517) 241-0007 or by e-mail at mdot-eeo@michigan.gov.

Approved: Kirk T. Steudle

Date: July 17, 2017

Discriminatory Harassment Complaint Form

Michigan Department of Transportation

Per the Michigan Department of Civil Service Rules and MDOT Policy on Discriminatory Harassment, the following information is required to file a discriminatory harassment or complaint with the department. Please see reverse side for instructions.

1. Employee Name (Print or Type)		2. Race	3. Gender	4. Employee I.D. Number
5. Address		6. City	7. State	8. Zip Code
9. Home Phone	10. Work Phone	11. Bureau/Region/Office/Division		12. Work Hours
13. Bargaining Unit	14. Immediate Supervisor		15. Supervisor Work Phone	
16. Accused's Name	17. Accused's Work Location (if known)	18. Accused's Supervisor's Name		19. Accused's Supervisor's Phone
20. Complaint Basis (mark all that apply) <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Sex <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Gender <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Height <input type="checkbox"/> Weight <input type="checkbox"/> Marital Status <input type="checkbox"/> Genetic Information <input type="checkbox"/> Disability <input type="checkbox"/> Partisan Consideration (Politics) <input type="checkbox"/> Retaliation <input type="checkbox"/> Other: _____				
21. Time (When did it occur?)	22. Date of Incident	23. Location of Incident (Where did it occur?)		
24. Please List Any Witnesses (Additional pages may be attached)				
Witness Name		Witness Name		
Witness Name		Witness Name		
25. Have you discussed this incident with anyone? <input type="checkbox"/> Yes <input type="checkbox"/> No (if yes, who?)		If yes, when did you discuss it with someone else?		
26. Have you asked that the behavior stop? <input type="checkbox"/> Yes <input type="checkbox"/> No (if yes, when?)		27. How often was the behavior repeated?		
28. Briefly describe the event(s) that occurred. If you witnessed discriminatory harassment, please include the name of the victim and the alleged harasser.				
29. What would you consider a solution to your complaint?				
30. Your Signature (I certify that the above information is accurate to the best of my knowledge)				Date

General Instructions

This form must be completed by anyone who wishes to file an internal complaint of Discriminatory Harassment. Help completing this form may be obtained from a supervisor, personnel liaison, union steward, Office of Human Resources, or the MDOT's EEO Officer. Please make sure the following information is submitted promptly following the alleged event. Please print legibly or type.

1. Complete the form and attach additional page(s), as necessary
2. Make a copy for your records
3. Forward your complaint to the EEO Officer

Investigative Process

An investigation will be conducted on all complaints of Discriminatory Harassment.

The EEO Officer will notify the person filing the complaint along with any appropriate authorities and staff of additional action that will be taken.

Additional Assistance

The Michigan Department of Transportation is obligated to investigate complaints and take appropriate action even if the employee does not wish to proceed with an internal investigation. An employee's identity and complaint may be disclosed as a part of the investigation and resolution. Information contained in this form will be kept confidential to the extent that is practical to conduct a complete and thorough investigation.

Employees may also file a complaint with the Michigan Department of Civil Rights within 180 days; the federal Equal Employment Opportunity Commission within 300 days; a grievance through the union or Civil Service; or file a private civil suit.

Questions regarding this form or the process may be directed to the MDOT EEO Officer at (517) 241-0007.

Employees may send the complaint via fax to (517) 241-1433, via e-mail at MDOT-EEO@michigan.gov, or by U.S. Mail or interdepartmental mail with an envelope marked "confidential" to:

Brenda Frezell, MDOT EEO Officer
425 W. Ottawa St., 1st Floor
Lansing, MI 48909

MDOT's Discriminatory Harassment [Policy #10128](#) is available via MDOT's intranet or upon request.