

# **Project Delivery Academy**

## **Civil Rights Office**

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# Project Delivery Academy

## Civil Rights Office

### Who are we?

The Civil Rights Office (CRO) exists to ensure agency compliance with Federal and State laws & regulations, ADOT policies and procedures that govern how ADOT provides services to our employees, customers, stakeholders and the general Arizona population.



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## Civil Rights Office

### Our Programs

- ADA/504 Compliance
- Affirmative Action
- EEO Contractor Compliance
- Title VI
- Environmental Justice
- Investigations



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## Civil Rights Office



### What we do

The Civil Rights Office (CRO) mission is to work with ADOT employees, supervisors, managers, division administrators, and local governments to ensure that:

- No member of the public is excluded from participation, denied benefits, or subjected to discrimination under any ADOT sponsored program or activity.
- All qualified applicants and current employees are afforded equal consideration and equal treatment for all ADOT employment actions from recruitment to termination.

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### Who is protected?

Any individual with the following protected characteristics, or has an association with an individual or group with the following protected characteristics:



#### Title VI, EJ, ADA

- Race
- Color
- National Origin
  - Limited English Proficiency (LEP)
- Income Status
- Disability

#### Other Related Authorities

- Age
- Sex
- Creed

#### Title VII

- Age
- Race & Color
- National Origin
- Disability
- Retaliation
- Equal Pay
- Pregnancy
- Religion
- Sex
- Sexual Harassment
- Genetic Information

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### ADA Authorities (Externally)



- As a State Transportation Agency, ADOT has a responsibility to ensure that all of its facilities, programs, services, activities, to include construction projects fully comply with the provisions of Title II of the ADA and Section 504 of the Rehabilitation Act of 1973.
- Title II of the Americans with Disabilities Act for “public entity” and all regulatory requirements under (28 CFR 35.104). In addition, ADOT must also comply with the regulatory requirements of Section 504 of the Rehabilitation Act.

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### ADA Public Accommodations

- Take reasonable steps or ensure that reasonable steps are taken to grant meaningful access.
- Ensure ADA accommodations are provided timely to avoid discrimination. The time depends on factors such as the type of accommodation requested and the consequences to the individual of failing to provide the accommodation immediately.
- Consult with the Agency's ADA Coordinator (CRO) before approving or declining a request.

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### ADA Project Delivery

- ADOT must incorporate ADA and Section 504 accessibility requirements.
- Partner work to ensure that features such as curb ramps, truncated domes, and barrier-free sidewalks/trails meet accessibility standards and are incorporated into ADOT's projects.
- Ensure projects that involve alterations to existing roadways, existing pedestrian facilities within project limits are reviewed to determine whether they meet ADA/504 regulations or warrant improvements in order to meet ADOT's ADA Design Standards.



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### ADA Tracking & Monitoring

- **ADA Compliance & Feasibility Reports:** Must be completed for projects that have ADA features being updated or added within the project work limits. The reports are updated throughout project delivery and completed prior to close out.
- **Features Inventory System (FIS):** Track/Monitor ADA barriers as part of the FIS. The system is accessible to all ADOT employees.
  - Evaluate ADA features in the field throughout project delivery.
  - Submit ADA update requests to Systems Management to update ADOT's FIS system of record.

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### Equal Employment Opportunity Contractor Compliance

- ADOT is a recipient of federal funding for various projects and is required to ensure Equal Employment Opportunity contractor compliance on all federally funded projects.
- The ADOT Civil Rights Office ensures that contractors and subcontractors performing work on federally funded highway projects do not discriminate in their employment and contracting practices based on race, color, religion, sex, national origin, age or disability.



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## Civil Rights Office



## Equal Employment Opportunity Contractor Compliance

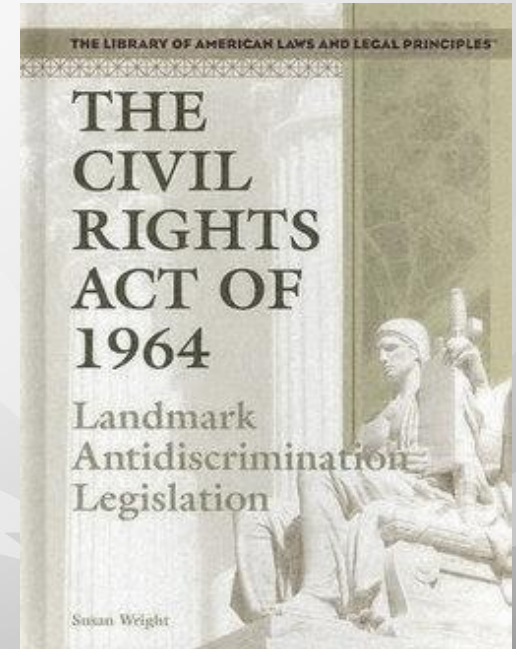
- ADOT administers a decentralized Contractor Compliance Program to meet Federal Highway Administration (FHWA) under the 23 CFR 230. The required contract provisions (FHWA-1273) are applicable to all contractors and subcontractors who hold federal or federal contracts of \$10,000 or more.
- Contractor Compliance Program Goals Consist of:
  - Ongoing Monitoring /Annual Reporting
  - Formal Compliance Reviews
  - Training
  - Technical Assistance in the Development of the Contractor's EEO Plan

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### Title VI

“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.”



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### Environmental Justice

#### **Executive Order 12898:**

Requires “the fair treatment and meaningful involvement of all people, particularly minority and low-income populations, in the environmental decision-making process.”

#### **NEPA Assignment to ADOT:**

The Civil Rights Office, in partnership with Environmental Planning, has assumed oversight responsibilities from FHWA to ensure EJ and Title VI compliance on NEPA documents.

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### US DOT Guiding EJ Principles

To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority or low-income populations.

To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority or low-income populations.

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## Civil Rights Office

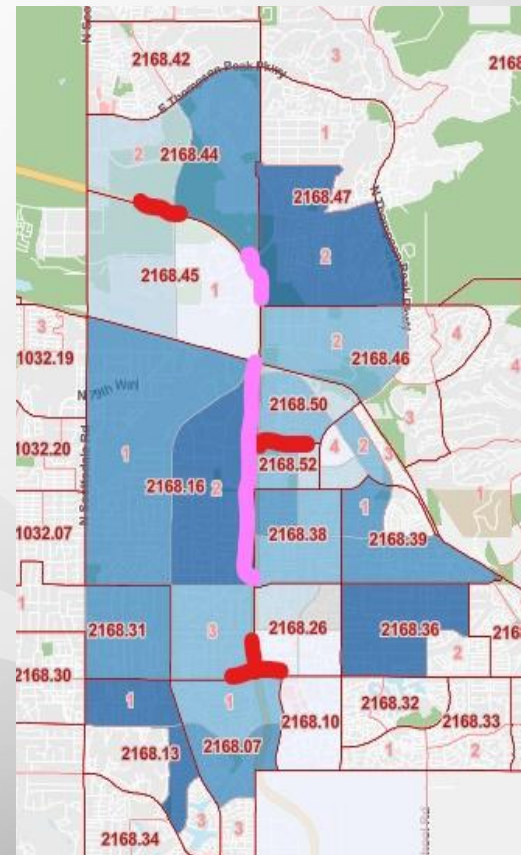
### Environmental Justice

#### EJ Analysis Nutshell:

- Impacts
- Vulnerable Populations
- Proportionality
- Mitigation

#### When to Involve CRO:

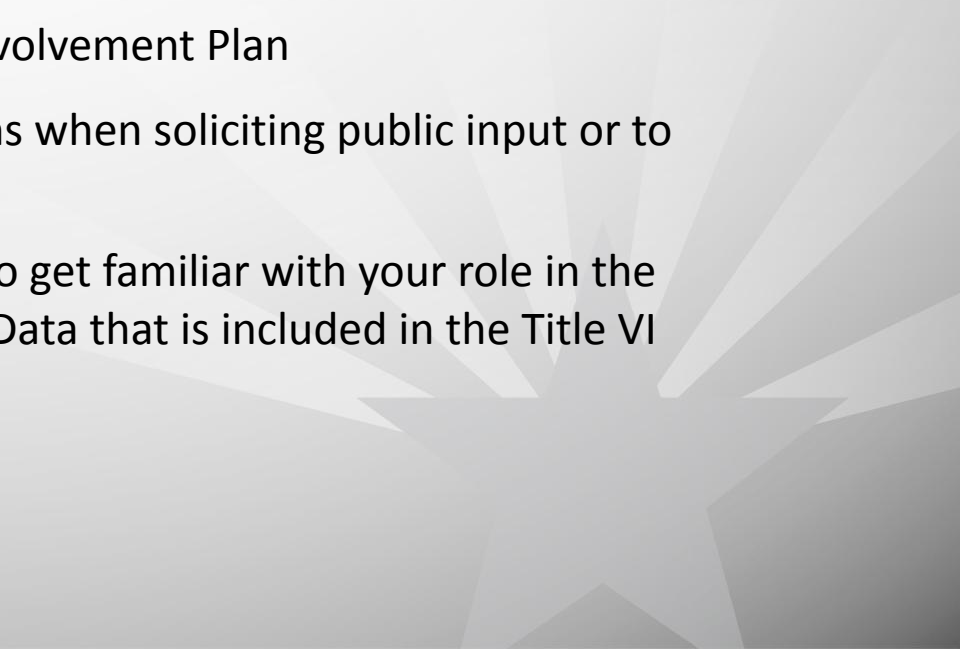
- Document Reviews: 30 days, 2 weeks, 5 days
- Public Meetings/Planning
- Progress Meetings



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### Title VI, EJ and LEP

- Become familiar with ADOT's Public Involvement Plan
  - Coordinate with ADOT Communications when soliciting public input or to communicate travel-related impacts
  - Meet with your area's Title VI Liaison to get familiar with your role in the demographic data reporting process. Data that is included in the Title VI Quarterly report submitted to CRO.
- 
- A faint, light gray map of the state of Arizona is visible in the background of the slide, positioned behind the list of bullet points.



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## Civil Rights Office

### ADA & Title VI



- All persons conducting business with ADOT must be notified of their rights under ADA/Title VI - (*ADOT'S Nondiscrimination Notice to the Public*)
- All persons conducting business with ADOT must be notified of the availability of auxiliary aids and services - (*ADOT's Auxiliary Aids and Services Notice to the Public*)
- All customer or public complaints of discrimination against ADOT, ADOT employees, or ADOT sub-recipients must be immediately reported to the Civil Rights Office (CRO)
- Consult with CRO when processing reasonable accommodations for individuals with disabilities and before denial of any accommodation request



## ADOT'S NONDISCRIMINATION NOTICE TO THE PUBLIC

The Arizona Department of Transportation (ADOT) hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990 (ADA), and other related authorities in all of its programs and activities.

ADOT's Title VI and ADA Programs require that no person shall, on the grounds of race, color, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

Any person, who believes his/her Title VI or ADA rights have been violated, may file a complaint. Any such complaint must be in writing and filed with the ADOT Civil Rights Office within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For additional information about ADOT's Civil Rights programs and the procedures to file a complaint contact ADOT Civil Rights Office via the information listed below:

## AVISO PÚBLICO DE LA LEY DE NO-DISCRIMINACIÓN DE ADOT

El Departamento de Transporte del Estado de Arizona (ADOT) informa al público que esta agencia tiene como regla asegurar el cumplimiento total del Título VI de la Ley de los Derechos Civiles de 1964, del Título II de la Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA) y otras normas relacionadas con todos sus programas y actividades.

Los programas del Título VI y ADA de ADOT exigen que a ninguna persona se le excluya de participar, se le nieguen beneficios o de ninguna otra manera sea sujeta a discriminación en ningún programa o actividad de ADOT por motivo de raza, color, país de origen, o discapacidad.

Cualquier persona que crea que se han violado sus derechos bajo el Título VI o el ADA, puede presentar una queja. Esta queja debe presentarse por escrito a la Oficina de Derechos Civiles de ADOT dentro de ciento ochenta (180) días a partir de la fecha en que se alega que ocurrió la discriminación. Para recibir más información sobre los programas de Derechos Civiles de ADOT y los procedimientos para presentar una queja, por favor póngase en contacto con la Oficina de Derechos Civiles de ADOT a través la información que aparece abajo:

**KRYSTAL SMITH**  
ADA/TITLE VI  
NONDISCRIMINATION  
PROGRAM COORDINATOR  
KSMITH2@ADOT.GOV

**ADOT Civil Rights Office**  
206 S. 17th Avenue, Mail Drop 155-A  
Phoenix, AZ 85007  
602.712.8946  
602.239.6257 FAX  
ardot.gov  
CivilRightsOffice@adot.gov



## AUXILIARY AIDS AND SERVICES

In compliance with Title II of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, the Arizona Department of Transportation (ADOT) does not discriminate against qualified individuals with disabilities on the basis of disability in its programs, services, and activities.

ADOT will make reasonable modifications to ensure that individuals with disabilities have an equal opportunity to enjoy ADOT's programs, services, and activities.

If you require an accommodation please notify an ADOT staff member.

For additional information or questions about ADOT's External ADA Program, please contact the Civil Rights Office at 602.712.8946.



## SERVICIOS Y ASISTENCIA ADICIONAL

En cumplimiento con el Título II de la ley de ciudadanos Americanos con Discapacidades (ADA por sus siglas en ingles) y la Sección 504 de la Ley de Rehabilitación de 1973, el Departamento de Transporte del estado de Arizona no discrimina contra individuos con discapacidades en sus programas, servicios y actividades administrados por el departamento.

ADOT hará modificaciones razonables para asegurar que individuos con discapacidades tengan las mismas oportunidades de disfrutar y participar en todos los programas, servicios y actividades de ADOT.

Las personas que requieran asistencia o una adaptación razonable por discapacidad por favor infórmele a un empleado de ADOT.

Si tiene cualquier pregunta o desea más información sobre el programa de no discriminación de ADOT, por favor póngase en contacto con la Oficina de Derechos Civiles de ADOT al 602.712.8946.

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## Civil Rights Office

### ADA/Title VI Public Complaint Procedures

Any person, specific class of persons or entity that believes they have been subjected to discrimination on the basis of race, color, national origin or disability may file a formal complaint with ADOT's Civil Rights Office.

- ★ Complaints must be filed in writing, within 180 days of last incident of discrimination


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## Civil Rights Office

## External ADA/Title VI Complaint Form

The Complaint Form may be accessed electronically at:

<https://azdot.gov/business/civil-rights/title-vi-nondiscrimination-program/filing-complaint>



External ADA/Title VI Complaint Form

15-0500 R08/19 azdot.gov

Clear

Note: *The following information is needed to assist in processing your complaint.*

Complainant's Information:

Name:

Address:

City:  State:  Zip:

Email:

Home Phone Number:  Alternate Phone Number:

Person discriminated against (someone other than complainant):

Name:

Address:

City:  State:  Zip:

Home Phone Number:  Alternate Phone Number:

Which of the following best describes the reason you believe the discrimination took place?  
Please be specific.

☐ Race 
☐ National Origin

☐ Color 
☐ Disability

On what date(s) did the alleged discrimination take place?

Where did the alleged discrimination take place?

What is the name and title of the person(s) who you believe discriminated against you (if known)?

Describe the alleged discrimination. Explain what happened and who you believe was responsible. (If additional space is needed, add a sheet of paper).

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## Civil Rights Office



### ADOT Employees and Prospective Employees

- All allegations/complaints or awareness of discriminatory behavior, shall be immediately reported to the Civil Rights Office (CRO)
- All complaints of discriminatory behavior must be reported to the Civil Rights Office even when the complaining individual (to include contract employees and vendors) expresses not wanting the behavior reported, or any action taken
- Chain of command may be modified
- All complaints are to be handled as confidentially as possible



# Questions?



# **ADOT Civil Rights Office**

**206 S. 17<sup>th</sup> Ave., MD 155A**

**Phoenix, AZ 85007**

**602.712.8946**

**[CivilRightsOffice@azdot.gov](mailto:CivilRightsOffice@azdot.gov)**