



CONNECTICUT DEPARTMENT OF TRANSPORTATION

POLICY STATEMENT

POLICY NO. EX.O.-3

May 3, 2022

SUBJECT: Affirmative Action Policy

As the Commissioner of the Connecticut Department of Transportation (Department), I pledge my full support to the principles of equal employment opportunity and affirmative action. I assume full responsibility for insuring that all programs, employment, and promotional opportunities within the Department will be conducted in a non-discriminatory manner and consistent with the program goals and timetables established in our Affirmative Action Plan. I expect the full cooperation of every member of the Department in implementing this policy and in sharing in the responsibility of meeting our immediate and necessary objectives of affirmative action and equal employment opportunity.

Discrimination is embedded in our Nation's history. Unless consciously addressed, the present effects of past discriminatory practices will continue to exist. We recognize that to overcome past discrimination and achieve equal employment opportunity for everyone, there must be a specific program and action plan that addresses and measures our efforts and success. Federal and state equal employment opportunity and affirmative action laws have been enacted in response to this history of discrimination. In accordance with these applicable laws and regulations and as an essential part of our fundamental operating policy, we have developed an Affirmative Action Plan.

Definition of Affirmative Action

Affirmative action means positive action, undertaken with conviction and effort to overcome the present effects of past practices, policies or barriers to equal employment opportunity. Affirmative action to implement this policy shall apply to all aspects of the employer/employee relationship, including, but not limited to, advertising, recruitment, hiring, training, reclassification, promotion, benefits, compensation, discipline, termination, layoff, or any other terms and conditions of employment. It is the policy of the Department to implement the principle of equal employment opportunity and affirmative action by providing employment and advancement opportunities solely on the basis of potential, ability, and job-related skills. Successful achievement of Equal Employment Opportunity/Affirmative Action goals will provide benefits to the Department through fuller utilization and development of previously underutilized human resources. The Department's Office of Equal Opportunity and Diversity will continue to use viable affirmative action measures and review employment practices in all stages of the employment process, as outlined in the Affirmative Action Plan.

Definition of Equal Employment Opportunity

Equal employment opportunity is employment without consideration of an individual's protected class status of age, ancestry, color, disability, genetic information, learning disability, marital status, present or past history of mental disability, intellectual disability, national origin, physical disability (including, but not limited to, blindness), race, religion/religious creed, sex, pregnancy, sexual harassment, gender identity or expression, sexual orientation, veteran status, criminal record (in state employment or licensing) or previously opposing discrimination unless provisions of Connecticut General Statutes §§ 46a-60(b), 46a-80(b), or 46a-81(b) are controlling or there is a bona fide occupational qualification excluding individuals. Employees whose jobs bring them in contact with reproductive hazards are also protected under this policy statement. This policy applies to protected classes under federal law as well as Connecticut state law.

Harassment on the basis of an individual's protected class status is a form of discrimination that is contrary to equal employment opportunity.

Additionally, the Department recognizes that sexual harassment is a form of sex discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, which are used as a condition of employment and/or create an intimidating, hostile or offensive working environment is a violation of both federal and state equal opportunity laws.

It is the Department's policy that all employees, interns, volunteers, contractors, subcontractors, vendors, visitors, parties, and others have a right to work and do business in an environment free of discrimination, and any form of sexual harassment or protected class harassment, which undermine the integrity of the workplace and will not be tolerated.

Reporting Alleged Discrimination

Any applicant or employee of the Department alleging discrimination on the basis of any of the protected classes listed in this policy may file a complaint with the Office of Equal Opportunity and Diversity. The office is located at the Department of Transportation, 2800 Berlin Turnpike, Newington, CT. The Office of Equal Opportunity and Diversity provides counseling and advisement, including explaining individual's rights to file complaints with external civil rights enforcement agencies and will promptly address allegations informally or through an internal investigation as appropriate, as outlined in the Discrimination Complaint Process.

An individual may also report these matters directly to his/her supervisor or to any member of management, who will then **immediately** contact the Office of Equal Opportunity and Diversity. All managers and supervisors are responsible for maintaining a work environment free of discrimination and **must** report all incidents of discrimination or protected class harassment to the Office of Equal Opportunity and Diversity. Failure of a manager or supervisor to immediately report a complaint of discrimination to the Office of Equal Opportunity and Diversity can result in the manager or supervisor receiving discipline up to and including termination from state service.

Retaliation for Opposing Discrimination is Prohibited

No employee shall engage in retaliation against an individual for filing or participating in a discrimination complaint. If you report an alleged incident of discrimination or protected class harassment and believe that you are being retaliated against as a result, you should report this to the Office of Equal Opportunity and Diversity.

Retaliation, for the purposes of this policy is defined as engaging in a materially adverse action against an employee or employees of the Department, because of their involvement in opposing discrimination or participating in a discrimination complaint. Retaliation includes, but is not limited to, coercion, intimidation, threatening, harassing, or interfering with individuals exercising or asserting their rights under federal or state law or because an individual aided or encouraged any other individual in the exercise or rights granted or protected by Federal or State law. Nothing herein shall preclude disciplining or discharging an employee for just cause. Actions that would be taken against the employee(s) due to prior performance issues or policy violations, and not due to their engaging in the protected activity of opposing discrimination or participating in a discrimination complaint, usually would not be considered retaliation.

Implementation of Affirmative Action/Equal Employment Opportunity Programs

Affirmative action and equal employment opportunity programs are administered by the Office of Equal Opportunity and Diversity and address the Department's efforts to ensure equal opportunities for all individuals. We also recognize the hiring difficulties experienced by individuals with disabilities and by many older persons. In order to ensure the full and fair utilization of these persons in our workforce, we will set program goals for action as necessary. In addition, the Department is committed to providing reasonable accommodations to applicants and employees because of a disability or to practice or observe their religion, absent undue hardship.

As Commissioner, I pledge that services and programs of the Department will be provided in a fair and impartial manner consistent with affirmative action. All the Department's education and training programs will be open to qualified persons. Each contractor, supplier, union, or other cooperative agency with which we do business shall support this policy by complying with applicable federal and state equal opportunity laws, regulations, guidelines, and executive orders prohibiting discrimination. The Department shall not be a party to any agreement or contract, which has the effect of sanctioning discriminatory practices. I expect all supervisory personnel to adhere to this mandate by carrying out their affirmative action responsibilities, as set forth in this plan, with the same vigor and effectiveness as all of their other responsibilities. In evaluation of all supervisors, performance of affirmative action responsibilities will be of prime consideration.

Our policy is posted and distributed annually to all Department employees. All Department employees have the right to review and comment on the Department's Affirmative Action Plan at any time. Copies of the Affirmative Action Plan are kept in the Office of Equal Opportunity and Diversity and the Department's Office of Human Resources and are available for inspection upon request. Mr. Eric Smith, Equal

Employment Opportunity Director, has been assigned the responsibility of implementing equal employment opportunity and affirmative action programs and reports to me directly. He can be reached at (860) 594-2211. The office is located at the Department of Transportation, 2800 Berlin Turnpike, Newington, CT.

Other Related Policy and Procedure References:

EX.O. 4- Sexual Harassment Prevention Policy and Reporting Procedure
Human Resources Memorandum 2016-1 *Workplace Conduct and Behavior*
EX.O. 18 - Non-Discrimination and Anti-Harassment Policy
Affirmative Action Discrimination Complaint Process

(This Policy Statement supersedes Policy Statement No. EX.O.-3 dated July10, 2020)



Joseph J. Giulietti
Commissioner