

**Title VI/EJ
Accomplishments
2011**

**Title VI/EJ Goals
2012**



MaineDOT

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FORWARD

This report reflects MaineDOT's accomplishments in the Title VI/EJ Program for as FFY 2010-11 as well as the Departments upcoming goals for FFY 2011-12 as required by 23 CFR Sec. 200.9 (b)(6).

We continue to improve our program and expand understanding of the importance of equity and the damaging impact of discrimination. Our office is committed to the elimination of discrimination in our work place, on our projects and with our partners. We do so through education, support, and availability with the belief that each person, business, non-profit, and government in our state deserves equitable treatment in the workplace and in every area of public transportation.

Theresa Savoy
Director, Civil Rights Office
September 29, 2011

2011 TITLE VI/EJ ACCOMPLISHMENT REPORT

Maine DOT expanded the Title VI Liaison program to ensure that special emphasis was placed on programs that deal with the public and who work directly with sub-recipients. We now have six liaisons and we hope to expand further to incorporate Maintenance and Operations and Safety.

Goal 1: Create a new position in the Civil Rights Office that will apply 50% of its time to Title VI Coordination and the remainder to other areas of Civil Rights compliance.

Result: This was not possible due to hiring freeze.

Goal 2: Review and update Maine Title VI plan to ensure that the current plan is meeting the requirements of the law and is meeting the needs of the Department. Will work closely with FHWA to make any necessary changes.

Result: We have reviewed the document and made changes although not significant. Because of changes in FHWA personnel we hope to further our efforts in 2011-12.

Goal 3: Continue the implementation internal intranet Title VI/EJ Training based on CalTrans model which you can view at:

http://www.dot.ca.gov/hq/bep/title_vi/Title_VI_Online_Training_Course.htm

Work with Liaisons to create list of pertinent MaineDOT staff. Also look to expand training to sub-recipient personnel who need to understand Title VI and EJ.

Result: Prototype is complete and we anticipate training Liaisons on the module in November 2011.

Goal 4: Develop PowerPoint training program which incorporates basic knowledge of Title VI to be used at MaineDOT trainings.

Result: This is complete and we have provided basic training to new resident engineers and field staff as well as training to LAP participants and annual trainings in March of 2011.

Goal 5: Secure or develop GIS mapping to create visual information for MaineDOT staff to better serve areas where environmental justice and limited English proficiency concerns exist.

Results: We continue to work on this and are awaiting guidance and new US Census data. We will be undertaking an LEP Four Factor Analysis for Federal Transit Administration this fall and this analysis will also become part of our FHWA documentation.

Goal 6: Hold quarterly Program Liaison meetings to share information and provide education. December, March, June, September.

Result: Goal was not met. Will be an ongoing goal.

Goal 7: Assess the impact of Title VI on Maintenance and Operations functions as well as The Environmental Office and Safety Office.

Result: Goal not met. Although Regional staff has participated in Title VI training and will be part of the Title VI module training.

Goal 8: Update and improve the MaineDOT website to provide easier access to MaineDOT's Title VI Plan and Assurances.

Result: The Website has had changes made and we are working to ensure that all Civil Rights documents are accessible to visually impaired individuals. We have updated the current manual to make it more user friendly on-line, creating links to each item in the Table of Contents and the Appendix.

Goal 9: Develop a form or outline to assist Liaisons in Title VI reporting.

Result: Some Liaisons have developed protocols for their own staff others have not.

Goal 10: Assess the cost benefit analysis of creating a GIS mapping system to map EJ/LEP populations in Maine and if the assessment is positive, work with GIS Coordinator to create maps.

Goal 11: Develop procedures and implementation plan for reviews of Locally Administered Projects.

Result: Not met. Will need further guidance on this issue.

Goal 11: BSTP CRO and SMPD Title VI liaisons will work by the following schedule to conduct Title VI reviews of sub recipients

Maine Department of Transportation-Recipients	
TENTATIVE SITE VISITS SCHEDULES	
2011	
Transit and MPO Civil Rights Compliance Reviews	
PACTS	April 2011

Result: PACTs was reviewed in May 2011. Results of the review are attached and PACTS Plan for meeting requirements are also attached. We continue to work with PACTS to ensure compliance.

Findings were as follows:

Although the Maine DOT did find some effort in meeting the requirements of the laws which govern non-discrimination, we find that PACTS is delinquent in some areas. The interview revealed that more needs to be done to comply with anti-discrimination requirements. In reviewing documents we found the Plan outdated; annually required Goals and Accomplishments were not received by this office for the current fiscal year; signed assurances were not documented or included in the Plan or the website. In reviewing the Destination Tomorrow 2010, we found it lacking in inclusion and participation of minority groups. We also found publications lacking in Title VI language that informs the public of their rights and how to file a complaint, should they feel they are being discriminated against. In order to bring PACTS into compliance, the agency must demonstrate that it is being proactive in including minority and low-income populations in the planning and operational processes.

The following action steps were required:

1. Updated Title VI plan which include signed assurances of non-discrimination.
 - Plan is still pending at the time of submittal of this report, however PACTS has notified MaineDOT of its actions and concerns. Anticipate the Plan for 2012 shortly.
2. Public outreach plan that includes outreach to minorities and low-income populations, groups and media;
 - Public outreach plan in place
3. A plan for including more low-income and minority representatives at Transit Advisory meetings;
 - PACTS staff contacted 16 transportation and non-transportation organizations who serve the area's transportation disadvantaged in preparation for writing the annual goals for FFY 2012. This work produced a list of 45 transportation and non-transportation organizations who serve the area's transportation disadvantaged to contact in FFY 2012 (see below regarding annual forum).
 - PACTS staff will invite representatives of non-transportation organizations that serve the transportation disadvantaged to serve on PACTS committees when openings occur. Potential openings would be for the two Executive Committee appointee seats on each of the PACTS Transit, Technical and Planning Committees.
4. Process for inclusion and participation in public meetings which include membership evaluation, process for considering time and place for meetings, etc.;

- PACTS and GPCOG staff will continue to work on the Southern Maine Partnership for Sustainable Development. This major regional initiative (funded by HUD, EPA and USDOT) will create an action plan for strengthening the viability of the region's urban and rural areas. Eleven of the 35 consortium members are housing authorities, community action programs, public health, and area agencies on aging. The action plan will certainly address the needs of our region's transportation disadvantaged.
5. Public outreach plan for Transit providers which include "I speak" cards, posted directives ensuring riders that of their rights;
 6. Policy that Publications and Public Notices include:

"In accordance with the Civil Rights Act of 1964, PACTS does not discriminate on the basis of race, color or national origin. For more information about these protections or to file a complaint, please contact PACTS."

Internal Title VI Accomplishments:

Goals 1: Employment applications will be screened by HR personnel to ensure nondiscrimination. HR personnel will make top candidate recommendations for interviews and monitor interviews for positions which have any potential for discriminatory selection. Additionally, all maintenance position interviews will be monitored by HR personnel. (ongoing)

Result: This is ongoing.

Goal 2: Training for all Project Development employees in harassment avoidance, ADA and reasonable accommodation, and Family Medical Leave. The harassment avoidance training will be done in tandem by both external and internal civil rights staff to better address not just employment law but federal contract requirements.

Result: Completed in 2010.

Training for Transportation Worker 1 will be accomplished in 2011.

Result: This remains ongoing, on a bi-monthly basis.

Goal 3: Transportation Worker 1 Classification physical abilities testing will be reworked to identify job tasks within the classification. These job tasks will be analyzed and measured to determine physical ability requirements, to develop post-offer pre-employment and return-to-work tests. Implementation anticipated in 2011.

Result: The product delivered by the consultant was not usable in its final form. We are putting together a scope of work now for a new consultant to address the deficiencies.

External Title VI/EJ Overview

Complaints

- Title VI Specialist and liaisons reported no external complaints in FFY 2011.
- There were no Title VI internal complaints filed with MaineDOT's EEO Coordinator in FFY 2010.

Actions

- Programs Areas of Bridge and Highway staff Title VI Brochures available at every public meeting and made participants aware of Title VI
- Multimodal Project Managers were made aware of Title VI and brochures by Title VI Liaison. Liaison reports that MaineDOT participated in 5 public meetings and brochures were available at only 2 meetings. This has prompted the Multimodal liaison to develop a check list to ensure that Title VI information is available at each meeting.

Multimodal hosted two workshops for LAP participants and interested parties in the Spring of 2011. One in Portland and one in Waterville. Civil rights Staff presented Title VI training at both of those events

2012 TITLE VI/EJ GOALS

Goal 1: Continue to pursue a new position in the Civil Rights Office that will apply 50% of its time to Title VI Coordination and the remainder to other areas of Civil Rights compliance.

Goal 2: Review and update Maine Title VI plan to ensure that the current plan is meeting the requirements of the law and is meeting the needs of the Department. With the advent of a new Civil Rights EEO Manager at FHWA, we will anticipate a renewed partnership with FHWA.

Goal 3: Train Liaisons on and set protocols for Title VI Training Module to ensure that all pertinent staff has been given information and understands basic principles of Title VI.

Goal 5: LEP Four Factor Analysis to develop LEP plan if necessary and to better serve areas where environmental justice and limited English proficiency concerns exist.

Goal 6: Hold quarterly Program Liaison meetings to share information and provide education. December, March, June, September.

Goal 7: Assess the impact of Title VI on Maintenance and Operations functions as well as The Environmental Office and Safety Office.

Goal 11: Develop procedures and implementation plan for reviews of Locally Administered Projects.

Goal 12: BSTP and CRO Title VI liaisons will work by the following schedule to conduct Title VI reviews of sub recipients

Maine Department of Transportation-Recipients	
TENTATIVE SITE VISITS SCHEDULES	
2011	
FHWA Civil Rights Compliance Reviews	
ATRC	March 2012
KACTS	April, 2012
BACTS	March 2013
PACTS	March 2014

Internal Title VI Goals:

Goals 1: Employment applications will be screened by HR personnel to ensure nondiscrimination. HR personnel will make top candidate recommendations for

interviews and monitor interviews for positions which have any potential for discriminatory selection. Additionally, all maintenance position interviews will be monitored by HR personnel. (ongoing)

Goal 2: Complete training for Transportation Worker I employees in harassment avoidance, ADA and reasonable accommodation, and Family Medical Leave. Provide the same training for all newly hired employees as needed.

Goal 3: Transportation Worker Classification physical abilities testing will be reworked to identify job tasks within the classification. These job tasks will be analyzed and measured to determine physical ability requirements, to develop post-offer pre-employment and return-to-work tests. Anticipated completion date 2012-13.