

**OFFICE OF DIVERSITY & CIVIL RIGHTS
POLICY/PROCEDURES**

<u>SUBJECT:</u> EQUAL EMPLOYMENT OPPORTUNITY STATEMENT OF POLICY	<u>DATE OF ISSUE:</u> February 2017	<u>POLICY/PROCEDURE #</u> 1.1
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Equal Opportunity is not only the law but it is fundamental to Massachusetts Department of Transportation ("MassDOT")¹ operations and mission. MassDOT is committed to equal opportunity in employment for all employees, applicants, and business activities. No applicant or employee shall be subjected to discrimination, harassment or retaliation on the basis of his or her race, color, gender, national origin, ancestry, religion, creed, disability, age, **sex** (including sexual orientation, gender identity, and pregnancy), genetic status or Veteran status, or other protected class with regard to any aspect of employment and employment practices, including but not limited to recruitment, hiring, wage and salary, benefits, recognition (awards), promotion, discipline, termination, transfer, layoff, recall or training.

Subrecipients and contractors working with MassDOT must exercise the same commitment to Equal Employment Opportunity ("EEO") for all persons regardless of race, color, gender, national origin, ancestry, religion, creed, disability, age, sex (including sexual orientation, gender identity, and pregnancy), genetic status or Veteran status, or other protected class.

Furthermore, MassDOT is committed to undertaking and developing a written nondiscrimination program that sets forth policies, practices and procedures, with goals and timetable to which the agency is committed and make the Equal Employment Opportunity Program available for inspection by any employee or applicant for employment upon request.

As the Secretary and CEO of MassDOT, I maintain overall responsibility and accountability for MassDOT's compliance with its EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I have appointed **Assistant Secretary and Chief Diversity & Civil Rights Officer, Julian T. Tynes as MassDOT's EEO Officer**. Assistant Secretary Tynes will report directly to me and acts with my authority with all levels of management, labor unions, and employees.

¹ For the purpose of this document MassDOT is defined as any and all divisions receiving funding from FTA or FHWA including but not limited to the MBTA, Mass Highway, Planning and the Rail and Transit Division. Thus, "administrators" or "Administrative Offices" refers to the General Manager of the MBTA, and the administrators of the Highway Division, Registry of Motor Vehicles, and Aeronautics.

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Revised 2-16-17

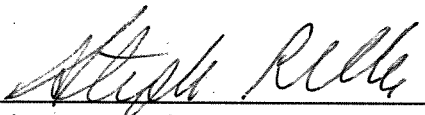
All managerial and supervisory employees share in the responsibility to ensure equal employment opportunity and affirmative action. All managers and supervisors are required to become familiar with MassDOT's EEO Compliance Program and expected to take an active role in implementing these policies and practices. Managers and supervisors will be assigned specific tasks to assure compliance is achieved. Managers and supervisors will also be evaluated on the success of the EEO Compliance Program, just as they are evaluated on success in meeting other agency goals. Managers and supervisors will be held accountable for action or inaction in the area of EEO. Promotions and other benefits are contingent upon success.

Applicants and employees have the right to file complaints alleging discrimination with the Chief Diversity & Civil Rights Officer through the Office of Diversity & Civil Rights at **1-855-227-8066**. Complaints will be promptly and impartially investigated by the Office of Diversity & Civil Rights in accordance with MassDOT's **Complaint Procedures**. Retaliation against an individual who files a charge of complaint of discrimination, participates in an employment discrimination proceeding (such as an investigation or lawsuit), or otherwise engages in protected activity is strictly prohibited and will not be tolerated.

MassDOT is committed to providing reasonable accommodations to applicants and employees who need them because of a disability or to practice or observe their religion, absent undue hardship.

MassDOT recognizes that the achievement of MassDOT's EEO goals will provide benefits to MassDOT, as well as to subrecipients and contractors working with MassDOT, through fuller utilization and development of previously underutilized human resources.

As Secretary of Transportation, I am personally committed to the principles and spirit of Equal Employment Opportunity for all employees and employment applicants. I expect all supervisory personnel to adhere to this policy by carrying out their affirmative action responsibilities with the same vigor and effectiveness as all other responsibilities.



Stephanie Pollack
MassDOT Secretary & CEO

August 8, 2017

Date

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SECTION II: STATEMENT OF POLICY

EEO Policy

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT OF POLICY

Equal Opportunity is not only the law but it is fundamental to Massachusetts Department of Transportation's ("MassDOT's")¹ operations and mission. MassDOT is committed to equal opportunity in employment for all employees, applicants, and business activities. No applicant or employee shall be subjected to discrimination, harassment or retaliation on the basis of his or her race, color, gender, national origin, ancestry, religion, creed, disability, age, sexual orientation, genetic status, gender identity or Veteran status with regard to any aspect of employment and employment practices, including but not limited to recruitment, hiring, wage and salary, benefits, recognition (awards), promotion, discipline, termination, transfer, layoff, recall or training.

Subrecipients and contractors working with MassDOT must exercise the same commitment to Equal Employment Opportunity ("EEO") for all persons regardless of race, color, gender, national origin, ancestry, religion, creed, disability, age, sexual orientation, genetic status, gender identity or Veteran status.

Furthermore, MassDOT is committed to undertake meaningful affirmative acts, which include setting goals, and establishing timetables, measurement, and evaluation factors, in order to overcome the effects of any past discrimination on minorities, women, and other protected groups, consistent with the FTA C 4704.1, p. III-1, sec. 2 (a2) and 23 CFR 230, Subpart C, Appendix A Part II, Section II B&C. To further its EEO goals, MassDOT will affirmatively seek to recruit, hire, train, promote and retain qualified women, minorities, Veterans, individuals with disabilities, and members of other disadvantaged groups who may be underutilized at MassDOT.

The final responsibility for ensuring equal opportunity in employment at MassDOT resides with the Secretary of Transportation, supported by each of the administrators, particularly the General Manager of the MBTA and the Highway Administrator. To achieve this important result, the Assistant Secretary & Chief Diversity Officer, Julian T. Tynes, has been designated as

MassDOT's EEO Officer and assigned full- time responsibility for the direction and implementation of MassDOT's equal employment opportunity and affirmative action program.

All managerial and supervisory employees share in the responsibility to ensure equal employment opportunity and take affirmative action. All managers and supervisors are required to become familiar with MassDOT's EEO Compliance Program and expected to take an active role in implementing these policies and practices, including taking responsibility for positive affirmative action in the discharge of the EEO Compliance Program. In furtherance of that goal, all managers and supervisors will receive additional training on effectuating bias-free personnel processes, including the recruitment, interviewing, selection, promotion, and discipline of employees. Managers and supervisors will be assigned specific tasks to assure compliance is achieved, maintaining a work environment free of all forms of illegal discrimination, retaliation or harassment, including sexual harassment.

Managers and supervisors will also be evaluated on the success of the EEO Compliance Program, just as they are evaluated on success in meeting other agency goals.

Managers and supervisors will be held accountable for action or inaction in the area of EEO. Promotions and other benefits are contingent upon success.


¹ For the purpose of this document MassDOT is defined as any and all divisions receiving funding from FTA or FHWA including but not limited to the MBTA, Mass Highway, Planning and the Rail and Transit Division. Thus, "administrators" or "Administrative Offices" refers to the General Manager of the MBTA, and the administrators of the Highway Division, Registry of Motor Vehicles, and Aeronautics.

Applicants and employees have the right to file complaints alleging discrimination with the Interim Chief Diversity & Civil Rights Officer through the Office of Diversity & Civil Rights at **1-855-227-8066**.

Complaints will be promptly and impartially investigated by the Office of Diversity & Civil Rights in accordance with ODCR's ***Complaint Procedures***.

MassDOT recognizes that the achievement of MassDOT's EEO goals will provide benefits to MassDOT, as well as to subrecipients and contractors working with MassDOT, through fuller utilization and development of previously underutilized human resources.

As Secretary of Transportation, I am personally committed to the principles and spirit of Equal Employment Opportunity for all employees and employment applicants. I expect all supervisory personnel to adhere to this policy by carrying out their affirmative action responsibilities with the same vigor and effectiveness as all other responsibilities.

 Jamey L. Tesler (Jul 29, 2022 11:40 EDT)

Jamey L. Tesler
Secretary & CEO

07/29/2022

Date